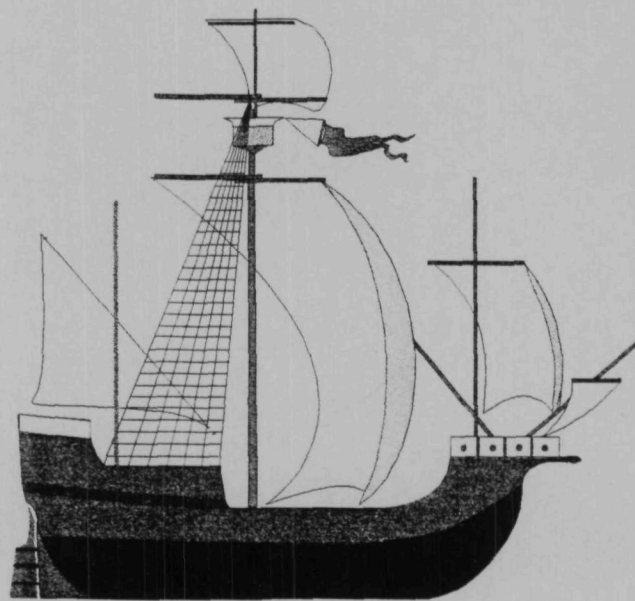
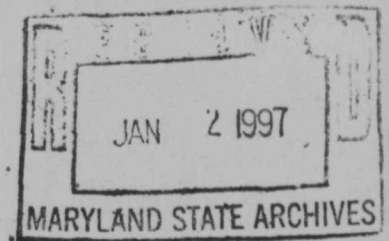


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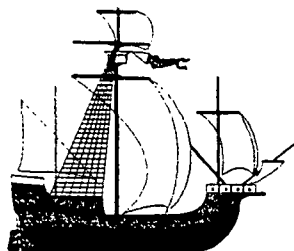
HISTORIC ST. MARY'S CITY IN THE NEXT CENTURY

***A STUDY OF THE AFFILIATION OF HISTORIC ST. MARY'S CITY
WITH ST. MARY'S COLLEGE OF MARYLAND***

**FINAL REPORT OF THE TASK FORCE
ON HISTORIC ST. MARY'S CITY**

NOVEMBER 20, 1996

THE GOVERNOR'S TASK FORCE ON HISTORIC ST. MARY'S CITY



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HON. JOHN F. WOOD, JR.

November 20, 1996

Governor Parris N. Glendening
State House, 100 State Circle
Annapolis, Maryland 21401

Dear Governor Glendening;

It is with great pride and a strong sense of accomplishment that the Task Force on Historic St. Mary's City reports the results of their affiliation study. Their report, "*HISTORIC ST. MARY'S CITY IN THE NEXT CENTURY, A STUDY OF THE AFFILIATION OF HISTORIC ST. MARY'S CITY WITH ST. MARY'S COLLEGE OF MARYLAND*," has been presented in draft form to the local community and has received extremely broad acceptance and support. I know you will find this report responsive to the questions you posed when you empaneled this task force. Their work has been thorough and incisive, and they have developed a plan which ensures the viability of this most important site of Maryland heritage.

Thank you for the opportunity to lead this impressive group of outstanding Maryland citizens, legislators, and officials. Their hard work and dedication to this task deserves commendation. The most effective way to commend them would be to adopt their recommendations and champion them through the legislative process. I will join you in that endeavor.

Sincerely,

Kathleen Kennedy Townsend
Lieutenant Governor

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EXECUTIVE SUMMARY

Perhaps the most important historic site in Maryland and a significant site in our nation's history, Historic St. Mary's City was the founding 17th-century settlement and colonial capital of Maryland. Since 1966, the St. Mary's City Commission has represented the state in acquiring, preserving, and exploring the historic lands. Further, the Commission has conducted educational programs to convey to the public the important legacy and lessons of the Maryland colony. Predating the establishment of the Commission by 126 years, St. Mary's College of Maryland also has an important heritage. The College was established as the "Monument School" to commemorate the founding colony. Four of the principal College buildings are astride the old city street plan. The College and the State Tercentenary Committee hosted the 300th celebration of the English settlement at St. Mary's City in 1934: in conjunction with that celebration, the first of the reconstructed buildings, the State House, was erected near the site where the original State House stood (the original State House site now is part of the Trinity Episcopal Church graveyard).

In January 1996, a proposal was made to align Historic St. Mary's City with St. Mary's College of Maryland. Governor Parris Glendening directed the establishment of a broadly based task force to consider this proposal and to advise his administration on whether to proceed with the proposal or to pursue alternate options for the improved governance and support of Historic St. Mary's City. The Task Force was led by Lt. Governor Kathleen Kennedy Townsend, and represented the Commission, the College, the Maryland Higher Education Commission, the Maryland Historical Society, the Maryland General Assembly and the community. The Task Force devoted six months to the careful consideration of the proposed realignment and other proposals.

Recommended actions have emerged from this process: (1) to provide the Commission the autonomy necessary for the effective management of Historic St. Mary's City; (2) to affirm the continued essential financial commitment by the state; (3) and to enable more formal and mutually beneficial collaboration between the City and the College with appropriate participation by the community. The recommendations have received the approval of this Task Force. Enabling legislation has been drafted for inclusion in the Governor's Administrative Bill to be considered during the 1997 legislative session of the General Assembly.

In furtherance of more effective operations, the Task Force proposes that the College and the City form a Joint Advisory Group, consisting of the senior leadership of the two institutions and also pursue new opportunities for cooperation between the College and the City. The College is willing to provide administrative support to the City in the areas of personnel, procurement, and accounting processes. The terms of this support agreement need to be set forth in a Letter of Agreement between the two institutions and their governing boards. The Joint Advisory Group should seek broader and more effective joint educational programs, and examine opportunities for joint staffing, facility use, and fund-raising. The Task Force believes that closer cooperation,

coupled with the increased Commission operating flexibility, autonomy, and adequate funding will lead to programs that benefit the City, the College, the community, and the citizens of Maryland.

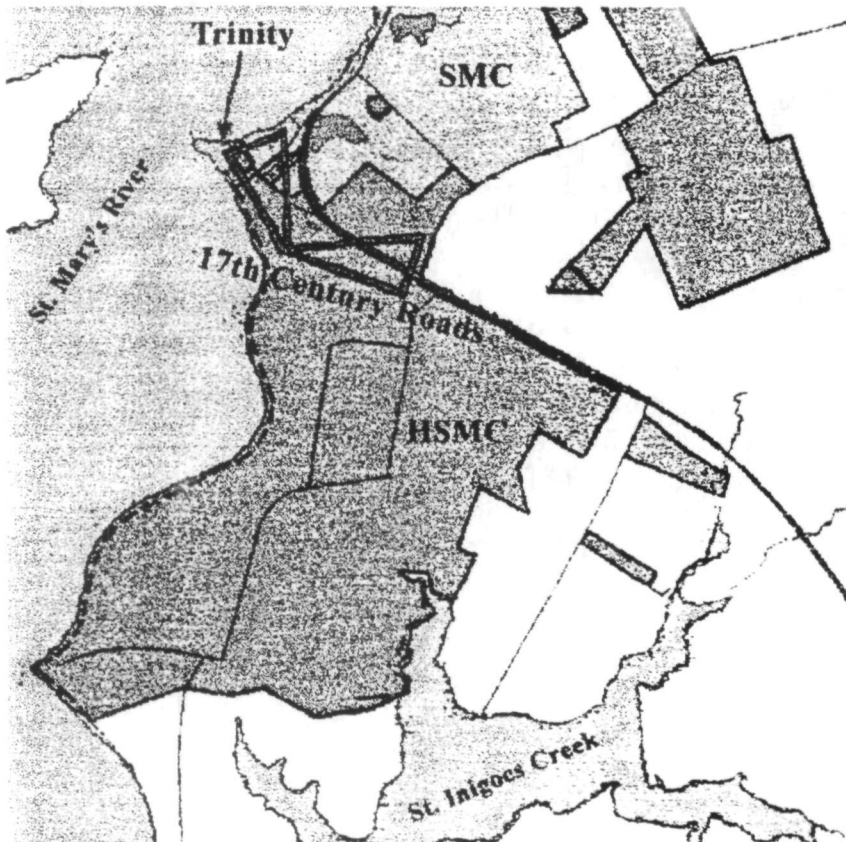
Implementation of Task Force recommendations will allow the Commission to devise and provide superior educational experiences at the historic capital of Maryland, both through more efficient use of the state funds, and through collaboration with a nationally prominent liberal arts college. Similarly, the College can benefit by more collaboration with Historic St. Mary's City's internationally known archaeological research program. Such collaboration will elevate both the Historic City and the College to even greater prominence and will fulfill the Commission's responsibility to "...**preserve the historic areas** of St. Mary's City, to **interpret findings** related to the history of St. Mary's City, and to **educate the public** about the historical events which occurred in, or were related to St. Mary's City" (emphasis added). This collaboration between Historic St. Mary's City and St. Mary's College of Maryland will bring to national attention the significant contributions to the national heritage of prominent 17th-century Maryland leaders: Leonard Calvert, Margaret Brent, Mathias deSousa, and Father Andrew White, who, along with the lesser known contributors, advanced this first great experiment in tolerance, and personal and political liberty.

The Task Force recommends that Governor Parris Glendening advance the proposed legislation as part of his 1997 administrative program. Likewise, they encourage the General Assembly to approve this legislation and provide adequate funding. Further, the Task Force urges future public officials to sustain the furtherance of the goals of the Historic St. Mary's City Commission.

The Task Force commends Lt. Governor Townsend for her leadership and commitment to this important study. She has maintained a clear vision of the opportunity to make prominent the legacy of St. Mary's City's ancient adventurers who struggled to create an open and diverse community in the 17th-century frontier which came to be called Maryland, thus fulfilling the trust of the Maryland General Assembly and the citizens who zealously guard the events and artifacts of the founding colony. We appreciate having been part of this most worthwhile task force.

BACKGROUND

Historic St. Mary's City, the site of the original English settlement and first capital in Maryland, has been characterized as one of the best preserved 17th-century colonial sites in North America by the National Register of Historic Places. The Historic St. Mary's City Commission (the Commission) has managed this important historical and archaeological resource since 1966 when the original commission was established by the General Assembly. The initial activities of the Commission focused on acquisition and protection of the ancient town lands. Approximately 835 acres, representing the most important venues of 17th century activity in the colony, have been acquired by the Commission. Since 1966, the Commission has conducted archaeological research which has received international acclaim for the scholarly integrity of its research. Historical research of equally high quality has been conducted by Dr. Lois Green Carr, currently assigned to the Historic St. Mary's City endeavor by the Maryland Historical Trust. Dr. Carr's work has distilled the human spirit from the archival records and has greatly augmented the discoveries of the field archaeologists led by Dr. Henry Miller.



LEGEND:

HSMC is Historic St. Mary's City property

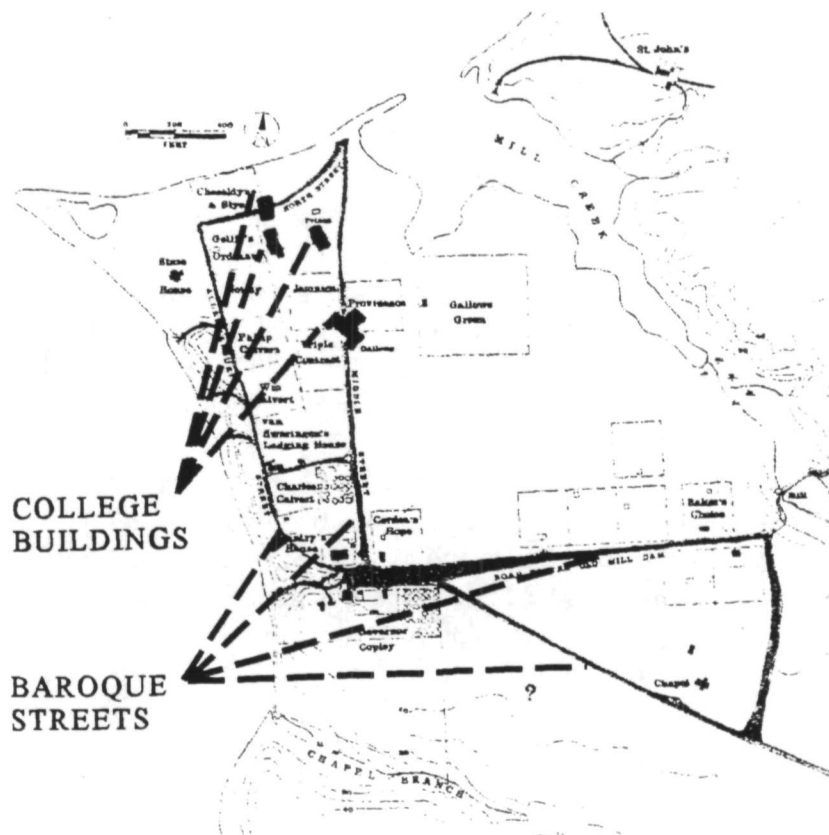
SMC is College property

Trinity denotes the Episcopal Church Property

The Butterfly shape denotes the 17th-Century Baroque Street Plan

Relationship of College, City, and Trinity Church Lands

In 1991, the General Assembly reconstituted the Commission, creating a directorial link between the Historic St. Mary's City Commission and the Board of Trustees of St. Mary's College of Maryland, and directing closer collaboration between the two institutions. The legislation anticipated the opportunities afforded by joint planning of educational programs and land/facility management which became the subject of study reported herein. St. Mary's College of Maryland has evolved from the "Monument School," created in 1840 by the General Assembly to commemorate the ancient site of the original capital of Maryland, to a nationally acclaimed liberal arts honors college. The early College buildings, which are still in use today, are built on the historic town lands: Calvert, St. Mary's, Anne Arundel and Kent Halls are situated on or within the north-western sector of the original "Baroque" street plan.



College Situated on 17th-Century Town Lands

In addition to land preservation and archaeological/historical exploration, the Commission communicates the importance of Historic St. Mary's City to the citizens of Maryland and to the general public. The Commission has used a variety of techniques to educate the public: costumed interpretation, reconstruction of key 17th-century structures, dramatic presentations, educational tours and workshops, lectures and seminars, and outreach to schools. For a number of years, the Commission and local and state political leaders have thought that with proper development the historic site would become a major tourist destination and would generate significant income to benefit the local community and to defray the operational expense. By the winter of 1995, the Commission determined that significant capital investment would be needed to reconstruct sufficient 17th-century structures and to delineate the original town streetscape to make the site appealing to tourists and to expand the educational benefit of the outdoor history museum component of their operation. The Commission concluded that the important story of St. Mary's City could not be shared "with a broad public audience" as envisioned by the General Assembly, because of limited resources, a variety of physical limitations, and the Commission's lack of full operational control. A proposal to align the Commission with the College was discussed in the belief that, by pooling their resources, the Commission and the College could collaborate on educational programs which would thrust St. Mary's City into a position of national prominence and recognition--fulfilling the General Assembly's vision for the site. Toward this end, in January 1996, it was proposed (reference (a)) to seek a closer affiliation with the College. Members of the Legislature, the Administration and the College felt that the proposal should receive broader review before consideration within the legislative context. Consequently, on April 9, 1996, the Governor appointed a broadly based task force to consider:

- a. If the proposal is a viable and appropriate one for both Historic St. Mary's City and St. Mary's College of Maryland
- b. The method(s) by which such a proposal would be implemented; and,
- c. If the proposal is not considered viable, or appropriate, what other options or opportunities exist to provide for the governance and support of Historic St. Mary's City.

The Governor's letter establishing the Task Force is included as reference (b).

This report documents the work performed by the Task Force and provides their conclusions and recommendations for consideration by the Governor and the General Assembly.

CHRONOLOGY

ACTIVITY	DATE
a. Task Force established by Governor Parris Glendening	April 9, 1996
b. Initial Meeting of the Task Force, State House, Annapolis	May 3, 1996
c. On-Site Orientation Meeting, St. Mary's City and St. Mary's College	May 24, 1996
d. Joint work group meetings of City and College Staff	June-August 1996
e. Task Force consideration of affiliation concepts	August 20, 1996
f. Historic St. Mary's City Commission meeting	September 9, 1996
g. Task Force consideration & acceptance of the Commission Proposal	September 10, 1996
h. Task Force review of proposed legislation	October 8, 1996
i. Task Force review of draft final report	October 22, 1996
j. Public Presentation of the Task Force Report	November 9, 1996

TASK FORCE MEMBERS

The Honorable Kathleen Kennedy Townsend, Lieutenant Governor, Chair

Historic St. Mary's City Commission:

Benjamin C. Bradlee, Vice President At Large
The Washington Post

Cary Carson, Ph.D., Vice President for Research
Colonial Williamsburg Foundation

J. Patrick Jarboe, M.D.
St. Mary's County Physician

St. Mary's College of Maryland Board of Trustees:

Charles C. Wilkes, President
The Wilkes Company

St. Mary's College of Maryland:

Jane M. O'Brien, Ph.D., President

Larry E. Vote, Professor of Music
Faculty Senate

Maryland Higher Education Commission:

Edward O. Clarke, Jr., Esquire

Community:

Catherine W. Barnes, St. Mary's City Coalition

Aleck Loker

Susan P. Messitte

The Honorable J. Frank Raley, Jr.

Nancy Warren, Senior Warden St. Mary's Episcopal Parish

Maryland Historical Society:

Dennis A. Fiori, Director

General Assembly:

The Honorable Thomas V. Miller, President, Maryland Senate

The Honorable Royden P. Dyson, Maryland Senate

The Honorable John F. Slade, III, Maryland House of Delegates

The Honorable John F. Wood, Jr., Maryland House of Delegates.

Staff:

Patricia J. Payne, Secretary, Department of Housing and Community Development

Alan H. Fleischmann, Chief of Staff, Lt. Governor's Office

Sara Patton, Executive Director, Historic St. Mary's City

Brian W. Clarke, Vice President for College Advancement, St. Mary's College of Maryland

Bruce Metzger, Historic St. Mary's City

Henry Miller, Historic St. Mary's City

Margaret McFarland, Office of the Attorney General of the State of Maryland

ANALYSIS OF THE CURRENT SITUATION

CURRENT LEVEL OF COOPERATION:

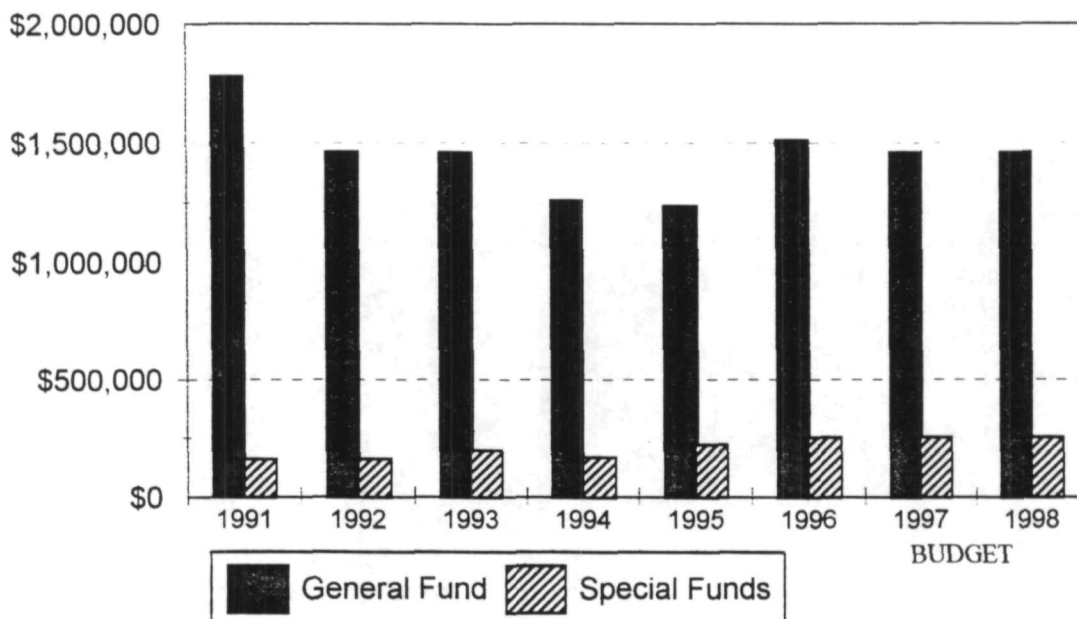
The City and the College have developed a strong spirit of cooperation that has grown over the last several years. This cooperation has led to the support of joint initiatives including:

- a. The archaeological field school
- b. Staff archaeologists and historians teaching at the College
- c. Employment of student interns at Historic St. Mary's City
- d. Collaboration on various public events
- e. Use of facilities and equipment
- f. Joint financial grants
- g. Free admission to HSMC for College faculty, staff and students
- h. Archaeological services in College survey and mitigation projects

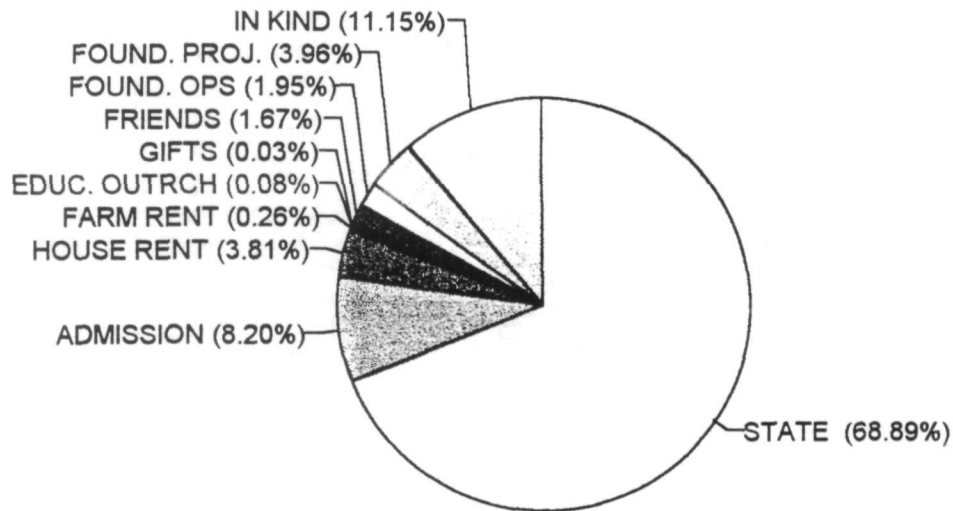
FINANCIAL PERSPECTIVE:

The Commission depends on state funding for approximately sixty-nine percent of its annual budget. The following charts show the various sources of funding and how the funds are expended. They also show that the preponderance of funds are spent on permanent and temporary or part-time staff, and how the staff are deployed.

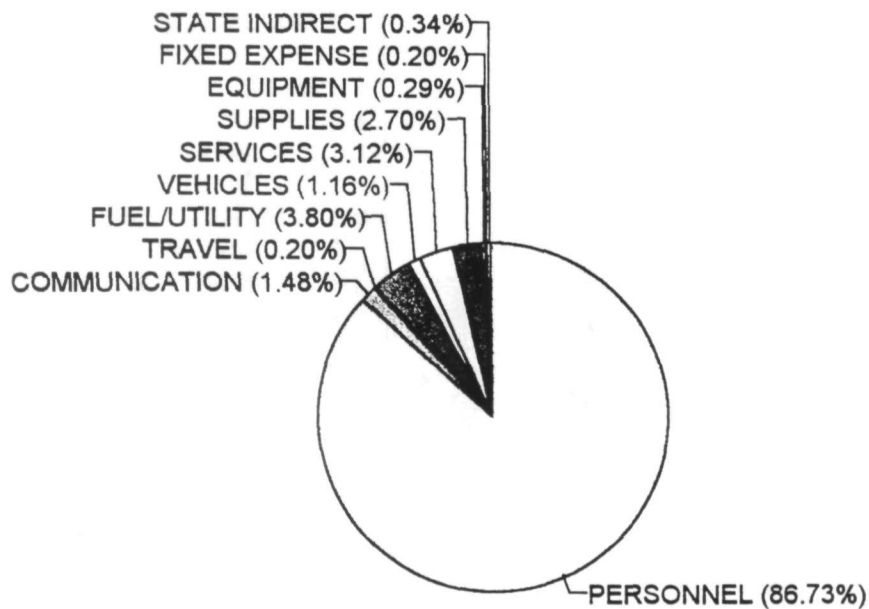
HISTORIC ST. MARY'S CITY
SUMMARY OF STATE OPERATING FUNDS



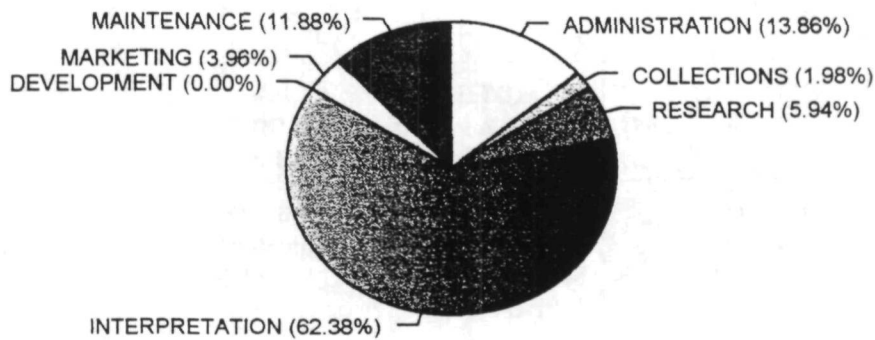
HISTORIC ST. MARY'S CITY 1995 SOURCES OF FUNDING



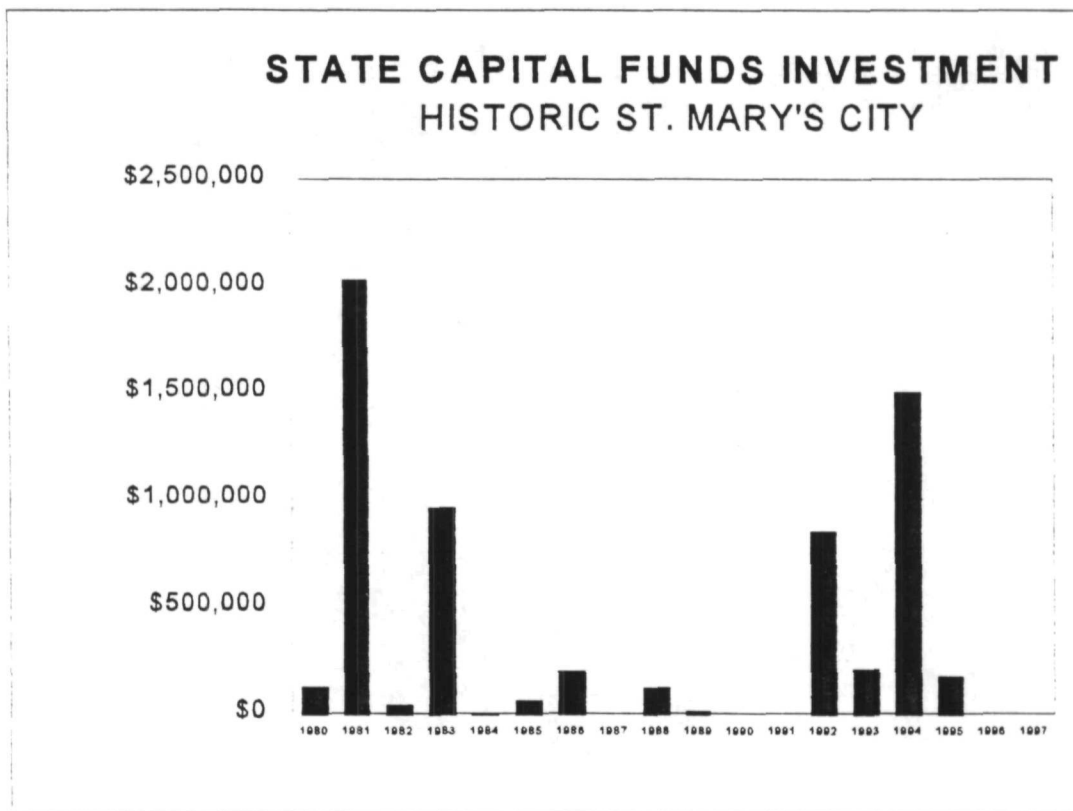
HISTORIC ST. MARY'S CITY 1995 BUDGETED EXPENDITURES BY CATEGORY



HISTORIC ST. MARY'S CITY PERSONNEL RESOURCES ALLOCATION



Capital funding for the development of the Historic St. Mary's City site, which includes the visitor facilities, the outdoor history exhibits, and various reconstructed structures, has been provided by the state, based on project proposals submitted by the Commission. The chart below shows how those funds have been provided over the last seventeen years.



The data table below compares Historic St. Mary's City to other well known outdoor history or "living history" operations.

COMPARATIVE ANALYSIS OF OUTDOOR HISTORY MUSEUMS

SITE	COLONIAL WILLIAMSBURG	PLIMOTH PLANTATION	OLD STURBRIDGE VILLAGE	HISTORIC ST. MARY'S CITY
FOCUS	Revolutionary War Colonial Capital of Va. 18th-Century Living History	Mayflower Plymouth Colony Settlement: 1620- 1692 Outdoor Living History	1830s Rural New England Village Living History	First Capital of Maryland 1634- 1694 Living History
Parent Institution	Colonial Williamsburg Foundation	Plimoth Plantation, Inc.	Old Sturbridge, Inc.	State of Maryland
Annual Visitors	942,000	450,000	475,000	52,000
Staff*	2800 FT 685PT		129FT 222PT	30FT 20-30PT
Acres/Bldgs.	173 acres 588 bldgs.	140 acres 32 bldgs.	1200 acres 100 bldgs.	835 acres 103 structures
Maintenance Staff	270FT 50PT	37FT 3PT	42FT 22PT	6FT
Marketing Staff	43FT	5FT	5FT	2FT
Development Staff	25FT 2PT	3FT 1PT	6FT	0
Public Prog. Staff	500FT 325PT	69FT 60PT	34FT 145PT	11.5FT 20-30PT
Research Staff	45FT 20-30cont.	2FT	11FT	2FT 1PT
Collections Staff	65-70FT	2FT 1PT		1FT
Admin. Staff	295FT	6FT	14FT 8PT	7FT

*Note: FT is Full Time; PT is Part Time employees

HSMC COMPARED TO WILLIAMSBURG RESTORATION

The State of Maryland acted legislatively to acquire, preserve, protect, and interpret for public education Historic St. Mary's City in 1966, 40 years after the start of the Williamsburg restoration by John D. Rockefeller, Jr.

	St. Mary's City	Williamsburg
Sponsor's Investment	<\$45	>\$200 million
Size of Property	835 acres	173 acres
Property Classification	Rural	Urban
Transportation Access	Md. Rt. 5	Interstate 64
Regional Population	250,000	2,500,000
Number of Structures	103	>588
Staffing Level	30 FT/30 PT	2800 FT/685 PT
Visitors/year	52,000	940,000

Note: John D. Rockefeller, Jr.'s investment in Colonial Williamsburg exceeded \$200 Million at the time of his death in 1960.

NATIONAL IMPORTANCE:

The great historical figures and events in the early 17th-century St. Mary's City are important to the founding of the state of Maryland, but are also key to the development of the principles on which the nation was founded. In 1992, Mary Means & Associates updated the Master Plan for Historic St. Mary's City. In that document, the author disclosed "the five most significant 'Maryland Legacies' that are best interpreted at Historic St. Mary's City." The complete text of these legacies, drafted by Dr. Lois Green Carr, is included in this report as reference (c). An abbreviated version from the Means Report appears below:

Five Maryland Legacies

Liberty of Conscience--The HSMC experiment in religious toleration, perhaps the first of its kind in the European world, lasted over half a century.

Resource Stewardship--The hard lessons of over-exploitation in the midst of what seemed endless bounty were learned early.

Cultural Diversity--Religious toleration attracted Europeans of many religious persuasions to mix with Native Americans and black Africans, most of them slaves.

Pursuit of Happiness--For those who did not die trying, the Chesapeake proved to be an opportunity for the relatively poor to acquire land and become economically independent in a few short generations.

Citizen Government--With a broader definition of citizenship in Maryland, English institutions of government depended more heavily on participation by ordinary citizens.

Not only does St. Mary's City mark the birthplace of Maryland, it was also the scene of many other notable events in America's early history. Among its many historical firsts are:

<input type="checkbox"/> First capital of Maryland	
<input type="checkbox"/> First Catholic Church in English America	1634
<input type="checkbox"/> First practice of separating Church and State in America	
<input type="checkbox"/> First Black to vote in an American legislature	1642
<input type="checkbox"/> First woman to request the right to vote	1647
<input type="checkbox"/> First official law establishing religious toleration	1649
<input type="checkbox"/> First use of Baroque town planning in America	1668
<input type="checkbox"/> First official city in Maryland	1668
<input type="checkbox"/> First example of Georgian architecture in America	1677

These events along with the individual stories of **Leonard Calvert, Margaret Brent, Mathias de Sousa and Father Andrew White**, represent the spirit of individual freedom and toleration that formed the cornerstone of our democracy. These are the stories of St. Mary's City, a national legacy that demands to be told.

Historians and archaeologists have already discovered a wealth of material that can be used to present these great lessons in American history in unique and compelling ways. The 17th-century Town Lands have been discovered, and the site is ready for more active reconstruction. The reconstruction would be part of a state strategy to convey Maryland's contribution to the America through inclusion of Historic St. Mary's City materials in national public educational curricula, sponsorship of national symposia and research, attraction of scholars, and the hands-on education of school children and adult learners.

REVIEW OF PREVIOUS CONSULTANT STUDIES

Seven studies done for Historic St. Mary's City (HSMC) have been examined and summarized below. Common themes have emerged from the analysis of these reports. The common themes are presented here, and the synopsis of each of the seven studies is presented in Appendix B.

COMMON THEMES:

- ☐ HSMC is a valuable historic site, for both state and nation.
- ☐ HSMC has to overcome the paradigm that its local and statewide value is merely as a tourism/economic development site. Its value is as an outdoor museum of history and archaeology memorializing the nationally important story of freedom and tolerance. It is an excellent resource for public education and academic research, as well as for the casual visitor or tourist.
- ☐ HSMC staff are competent and dedicated. The Research division has an international reputation for the integrity of its work.
- ☐ The complex governance issues must be solved. HSMC needs autonomy in order to give the enterprise the opportunity to grow and the flexibility to manage its operations effectively. It needs a sustaining level of state funding to carry it through its short term development plans critical to achieving the purpose for which the state created it. The state funding will form the base of a broader endowment which will develop as the visitors' experiences at Historic St. Mary's City begin to fulfill their expectations.
- ☐ HSMC has an image problem. It is not well known outside of Southern Maryland. Visitors come expecting to see a Colonial Williamsburg and ask, "Where's the city?"
- ☐ HSMC's opportunity to attract visitors is and will continue to be hampered by geographic isolation in a rural area, lack of a major interstate highway, and with little else for a visitor to do once the trip has been made to St. Mary's City. The lack of a hotel, shopping, restaurants or other visitor amenities in the area compound the problem.
- ☐ The lack of sufficient site development hinders the outdoor history museum. Visitors need to see a more tangible recreation of the 17th-century city in a concentrated area so that distance does not become an obstacle.
- ☐ Nearly all studies point out that it is critical to build the exhibit buildings and a new visitor center, adjacent to Rt. 5, to attract sufficient visitors and to effectively communicate the important story of HSMC.
- ☐ Through traffic on Md. Rt. 5 needs to be handled by a bypass, freeing the historic area from that distraction.
- ☐ The mission and the leadership vision seem to have been moving targets, including, at different time, history, natural history, and agricultural history. Also, the focus of interpretation should be on the period 1634 to 1695, i.e. the colonial settlement.

- ☐ The limitations in on-site facility and program development cited above are the direct result of insufficient funding for the Historic St. Mary's City public educational mission.
- ☐ Inadequate budgeting has led to an ineffective marketing effort and has limited the public exposure or public education, which has been a consistent purpose of the enterprise. Some studies have indicated that priorities should be altered to increase the marketing budget even at the expense of other programs.
- ☐ The Foundation has not effectively developed a base of private sector support beyond Southern Maryland. Advisers have consistently identified the need for a broader Foundation membership, organized for success, and for maintaining their exposure with corporate, non-profit, and individual donors beyond the Southern Maryland region.
- ☐ The Lead Coffin Project and the Brick Chapel Reconstruction Project afford two fund-raising vehicles with potential to raise needed capital and ongoing financial support, and to broaden the public exposure to the St. Mary's City story.

THE PROPOSED CHANGES IN GOVERNANCE AND AFFILIATION

INTRODUCTION: Although the Task Force was established as a result of a merger proposal, it became apparent early on that the term "merger" did not accurately describe what the Task Force believed feasible or desirable. Instead, the term "affiliation" has been used consistently by the Task Force to refer to the relationship sought by the City and the College in the future. As has been previously cited, a loose affiliation already exists between the City and the College in which they collaborate on an ad hoc basis. The Task Force has considered two affiliation concepts which have been proposed: one by J. Rodney Little and one by J. Frank Raley. Those concepts were presented to the Task Force as concept papers and are included in this report as references (d) and (e). Each is briefly summarized below:

The Little Concept: The HSMC authorizing statute would be amended to "restructure the Commission as a state-chartered, independent quasi-public corporation with the advantages of a state agency and a private nonprofit," and the City and College would "enter into a Cooperative Agreement...for those functions and programs that can be consolidated and implemented collaboratively." The Little concept outlined precedents for such a charter and examined opportunities for collaboration between the two institutions in the areas of programs and administration. Mr. Little recommended that the legislation granting the independence and the cooperative agreement between the City and the College be developed in parallel and submitted together to the Governor and the General Assembly.

The Raley Concept: The Commission would remain an autonomous Board. The Commission and the College Board would jointly approve the City mission and policy. The College President would exercise full administrative authority over the City operations. Budgets for each institution would be separate, but the College would approve the City budget requests prior to submission to the state. The Executive Director of the City operation would be appointed by the Commission subject to approval by the Board of Trustees of the College. The Commission would retain ownership of the land. The Raley concept anticipated variations on the authority vested in the Commission and the Board of Trustees. The concept, however, made it clear that the two budgets must remain separate to avoid erosion of College resources. The Commission would retain its integrity, but would enter into a "joint agreement with the College...to achieve broader intellectual and fiscal capacity under a collaborative agreement with centralized administrative authority."

These two concepts formed the basis for discussions between the staff and leadership of the College and the Commission between June and August, 1996. During this period, the College and City staffs also developed a better understanding of the needs of the City and the administrative requirements the City would look to the College to provide once it gained its independence from the Department of Housing and Community Development. Data on personnel, procurement and accounting systems were developed to allow the College to measure

the impact on its administrative staff if it agreed to provide those services to the City. The College staff also reviewed the current financial situation at the City and produced the situational analysis information included elsewhere in this report. Finally, this information was provided to the Commission and the College Board of Trustees to ensure that they supported the direction the staff was recommending.

What emerged from these talks is the affiliation proposal outlined below. This affiliation model incorporates the concepts advanced by the Honorable J. Frank Raley and establishes a framework to develop the affiliation. An important aspect of this model is that it establishes a mechanism for the development of the affiliation which is time-sensitive and allows the affiliation to evolve as the two institutions' leadership boards deem feasible and appropriate. The Historic St. Mary's City Commission approved this proposal on September 9, 1996 and the chair, Mr. Ben Bradlee, presented the proposed affiliation to the Task Force which approved it unanimously at its September 10, 1996 meeting. The affiliation model embodies three key elements, all of which are mutually interdependent and required for success: autonomy for the Commission; improved and stabilized state operating funds for the City; and the opportunity for formal affiliation with the College in order to provide key administrative services as are currently provided by the Department of Housing and Community Development.

THE KEY ELEMENTS:

1. HSMC receives autonomy to fully execute its mission of preservation, exploration and education. At this point HSMC's major undertaking is the public education mission. To achieve the maximum educational benefit, affiliation with St. Mary's College can provide it with enhanced educational credibility and visibility from a like-minded institution with the resources to assist in the full development of public awareness and knowledge of the important first capital.

The legislation granting autonomy shall:

- a. Release HSMC from state procurement requirements
- b. Release HSMC from state personnel requirements
- c. Transfer capital funds to the autonomous enterprise
- d. Provide sustaining operational funding

2. HSMC and SMCM are authorized to enter into a **letter of agreement** which would permit the College to:

- a. Process HSMC **procurement** actions
- b. Process HSMC **personnel and payroll** actions (HSMC will be the appointing authority)
- c. Maintain **accounting** records for HSMC
- d. Provide advice and consultation in fund raising
and **which would require the HSMC Commission to:**
- e. **Assign two existing positions** to St. Mary's College (personnel and procurement)
- f. **Provide continued budget support** for the two positions

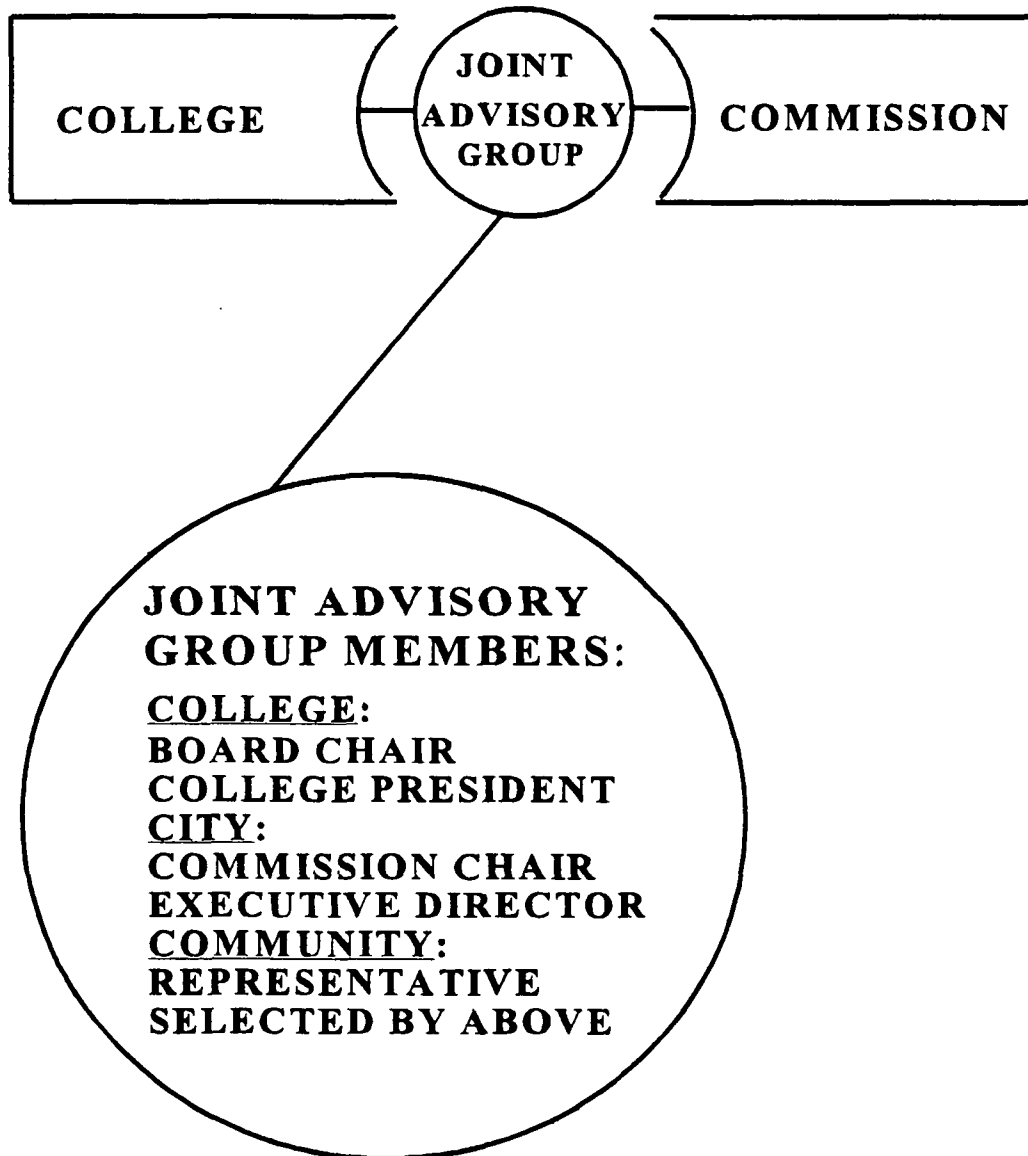
3. HSMC and SMCM may also **establish an Advisory Group for the Joint Enterprise (the Joint Advisory Group)** to further develop the joint relationship.

4. **Joint Programs** that enhance existing educational initiatives of the College and the City will receive **immediate emphasis** by the joint advisory group.

Following the granting of the Commission's autonomy, the Historic St. Mary's City (HSMC) Commission and College would appear as follows:

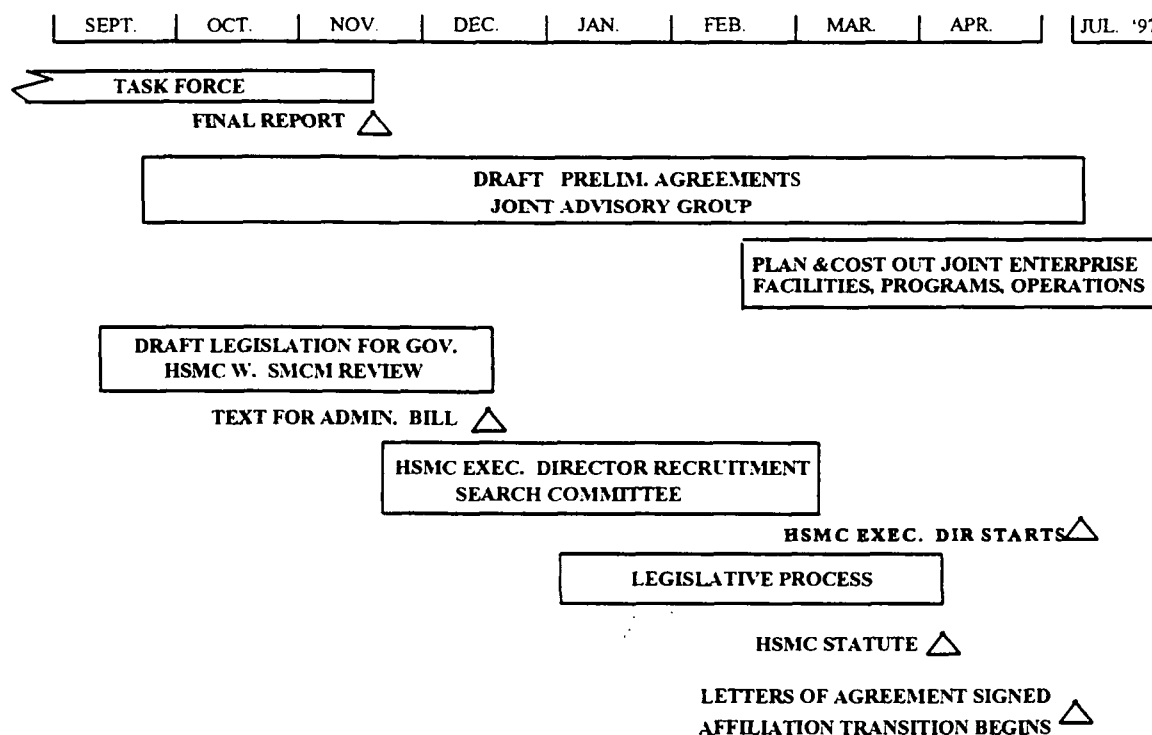
	ST. MARY'S COLLEGE	HSMC COMMISSION
MISSION	NATIONALLY PROMINENT, LIBERAL ARTS HONORS COLLEGE MONUMENT SCHOOL FOUNDED TO COMMEMORATE THE HISTORIC CITY	COMMISSION ESTABLISHED TO PRESERVE & EXPLORE THE SITE OF MD'S FIRST CAPITAL & EDUCATE THE PUBLIC ABOUT THE HISTORICAL SIGNIFICANCE OF MD'S BEGINNINGS
STATUS	INDEPENDENT BUDGET, PROCUREMENT AND PERSONNEL AUTHORITY	INDEPENDENT BUDGET, PROCUREMENT AND PERSONNEL AUTHORITY RESPONSIBLE OWNER TO PRESERVE AND PROTECT THE TOWN LANDS
FISCAL SERVICE	COLLEGE PROVIDES ACCOUNTING, PROCUREMENT AND PERSONNEL SERVICES TO THE CITY ON A COST REIMBURSABLE BASIS	
COMMON INTERESTS	PUBLIC EDUCATION PROGRAMS PROTECTING THE TOWN LANDS AND VISUAL SETTING ENHANCING AND IMPROVING THE HISTORIC ST. MARY'S CITY EXPERIENCE FOR SCHOLARS, STUDENTS & VISITORS	
METHOD OF COOPERATION	JOINT ADVISORY GROUP COMPOSED OF DELEGATES FROM THE TWO INSTITUTIONS & A SELECTED COMMUNITY REPRESENTATIVE: COLLABORATIVE/COOPERATIVE PLANNING EXPLORES JOINT PROGRAMS INVESTIGATES JOINT FACILITY USES THE JOINT ADVISORY GROUP HAS NO INHERENT AUTHORITY. DECISIONS ARE MADE BY THE COLLEGE BOARD OF TRUSTEES AND THE CITY COMMISSION	
FORMAL RELATIONSHIP	LETTERS OF AGREEMENT ESTABLISH THE EXPECTATIONS AND OBLIGATIONS OF EACH INSTITUTION	

Diagrammatically, the affiliation between the two independent institutions would look like the following:



The task of the Joint Advisory Group would be to negotiate the formal agreements between the City and the College. The Joint Advisory Group would have no inherent authority. The formal agreements they negotiate would not take effect until approved by the Commission and the Board of Trustees where the authority is vested by the state. However, the Joint Advisory Group would be the mechanism by which proposed strategic alliances or support agreements would be reviewed and analyzed prior to submittal to the respective boards for approval. Affiliation could therefore proceed in a logical and effective way and at a pace acceptable to each institution's governing body. It should be noted that the local community is well represented in each step of this process, since they have representation on the Commission, the Board of Trustees, and on the Joint Advisory Group.

PROPOSED AFFILIATION IMPLEMENTATION TIME LINE: The time line below establishes the schedule for achieving the milestones leading up to broader affiliation between Historic St. Mary's City and St. Mary's College of Maryland.



HSMC-SMCM AFFILIATION TIME LINE

SEPT. '96 TO JUL. '97

LEGISLATION NEEDED: A draft of the necessary legislation to grant independence to the Historic St. Mary's City from its current executive department placement and to express the state commitment for funding the operation and capital projects in future budget years is included as Appendix C. Margaret McFarland, assistant Attorney General, drafted this legislation for inclusion in the Governor's administrative bill to be submitted to the General Assembly during the 1997 session. This legislation reaffirms the mandate which the Historic St. Mary's City Commission has consistently been charged with: preservation of this most precious archaeological resource and legacy from the past.

PRESENTATION TO THE PUBLIC: A draft of this report was presented to the public on November 9th in the auditorium at Historic St. Mary's City. Approximately 80 people attended this public meeting and 17 offered comments on the work of the Task Force and on the proposals contained in the draft report. A summary of the comments of those individuals as well as public comments offered by three Task Force members are included as Appendix (D). In brief, the public comments were uniformly favorable. The public praised the work of the Task Force and endorsed the proposals presented in the report.

This final version of the report contains changes which are intended to be responsive to suggestions from the public that the Historic St. Mary's City legislation should: (1) recognize the outdoor history museum aspect of the operation; (2) recognize that, although the principal mission of the Commission continues to be one of public education, local economic development benefit derives from the operation; (3) actively encourage local citizens to volunteer for this important endeavor, since volunteers represent a major resource of Historic St. Mary's City; (4) encourage the development of a private endowment.

CONCLUSIONS

1. Historic St. Mary's City is the most important heritage site in the state and a nationally important site as well.
2. The Historic St. Mary's City Commission must remain focused on preservation of this treasured site, exploration of the archaeological and historical resources, and education of the public regarding the great people and great events embodied in the story of the founding of Maryland and the legacy left to the nation.
3. Previous studies, experience, and the work of this Task Force demonstrate the need for innovation in the Commission management. This can be made possible by releasing the Commission from an over-rigid bureaucracy, and increased coordination with St. Mary's College of Maryland resources through a strategic alliance. For this alliance to work, the Commission needs the same relief from personnel, procurement, and accounting procedures as has been granted to St. Mary's College of Maryland to be able to effectively operate in such a strategic alliance with the College in these areas.
4. Closer affiliation with St. Mary's College will be beneficial to the City and to the College. Numerous opportunities exist for administrative efficiencies and joint programming. Other opportunities may evolve for joint facility development and utilization.
5. It is clear that Historic St. Mary's City is principally an educational resource as opposed to merely an economic development enterprise. Programming in the future should be developed to maximize the educational activity, gaining the City and the College national exposure and prominence.
6. Future development of the Town Lands must be sensitive to the fundamental mission of preservation and commemoration of this most important heritage site through education.
7. The State of Maryland must commit to increased and stable funding for Historic St. Mary's City, including sufficient capital funding to develop the public educational potential of the site.

RECOMMENDATIONS

1. Grant the Historic St. Mary's City Commission autonomy by enacting the proposed legislation presented herein.
2. Commit the state administration to a baseline operating funding level of approximately two million dollars with an appropriate built-in inflation factor in the out years.
3. Pledge serious consideration for future capital projects to reveal and recreate the 17th-century Town Lands and assist in teaching the lessons related to Historic St. Mary's City.

REFERENCES

APPENDIX A

REFERENCES

- a. Historic St. Mary's City and St. Mary's College of Maryland, Illuminating Maryland's Heritage. A Proposal to Merge an Historic Museum and a Public Liberal Arts College, January, 1996; proposed by the Historic St. Mary's City Commission and the St. Mary's College of Maryland Board of Trustees.
- b. Letter from Governor Parris Glendening to Task Force Members, dated April 9, 1996.
- c. Appendix B, pages 108 and 109, from Historic St. Mary's City Master Plan Update dated January 1992. Appendix B prepared by Dr. Lois Green Carr; Master Plan Update prepared by Mary Means & Associates.
- d. A Relationship for Historic St. Mary's City and St. Mary's College of Maryland: An Alternative Proposal, by Rodney Little, Department of Housing and Community Development, August, 1996.
- e. Memorandum from J. Frank Raley to the Study Group on the Merger of the St. Mary's City Commission with St. Mary's College of Maryland, subject: Suggestions, dated April 23, 1996.

HISTORIC ST. MARY'S CITY AND ST. MARY'S COLLEGE OF MARYLAND
ILLUMINATING MARYLAND'S HERITAGE
A PROPOSAL TO MERGE AN HISTORIC MUSEUM
AND A PUBLIC LIBERAL ARTS COLLEGE
January, 1996

The Historic St. Mary's City Commission and the St. Mary's College of Maryland Board of Trustees propose that the Governor and General Assembly enact legislation which fully merges these two state institutions.

Historical Perspective

As the site of the first capital of Maryland, Historic St. Mary's City is the single most historic landmark in the state. There still is no higher priority than the preservation and maintenance of Maryland's birthplace, and the scenic easements which protect it. Its importance is underscored by the many other "firsts" that occurred on this site.

It was in St. Mary's City that Lord Baltimore introduced and wrote into law the concepts of religious freedom and separation of church and state. It was here that Mathias de Sousa became the first person of African descent to participate in an American legislative body. It was here that Margaret Brent first voiced a request for a woman's right to vote. It was here that the first Anglo-Catholic church in America was established.

This historic site not only marks the birthplace of Maryland, but it also embodies the concepts of individual freedom and toleration -- concepts introduced in colonial Maryland and ultimately embraced in our nation's founding principles. It is here the public comes in contact with the strange, somewhat alien world of 17th century America and with the events and ideas that shaped this country.

State Recognition

The importance of St. Mary's City to the history of Maryland and to this country was recognized in 1840, when the Maryland General Assembly approved legislation which would establish St. Mary's College of Maryland (then designated as St. Mary's Seminary) as a living monument to this 17th-century colonial settlement and first capital city. Throughout its 155 year history, St. Mary's College has endeavored to reflect the ideals first espoused by Maryland's founding fathers: toleration of ideas and beliefs, racial and gender equality, and commitment to community.

In its continuing effort to commemorate Maryland's first capital, the General Assembly created in 1966 the Historic St. Mary's City Commission. The charge to the commission was to protect this extraordinary site and oversee the development of a unique history museum for the education and enjoyment of the public. The Commission's stated mission then and now is to "preserve the historic areas of St. Mary's City, to interpret findings related to the history of St. Mary's City, and to educate the public about historical events which occurred in, or were related to, St. Mary's City." The Commission has developed internationally recognized archaeological programs to unearth the original city and to preserve and to study this National Historic Landmark. And the museum has endeavored to develop educational programs about the events that occurred at St. Mary's City and how these events and Maryland's first colonists helped shape a nation.

Untold Story

For three decades, the Historic St. Mary's City Commission has endeavored, with limited resources, to fulfill its pledge to preserve the site and its archaeological treasures, and to share this rich heritage with a broad public audience. And yet, the St. Mary's City story goes relatively unheard. Although it was in St. Mary's City that religious tolerance was first practiced and mandated by law; that the first effort was made to secure a woman's right to vote; and that the principle of separation of church and state was first established, this historic community's story and heritage are mostly ignored by or unknown by academics, school teachers, and the general public. The most important aspect of the General Assembly's vision has, in short, gone unfulfilled.

Future Vision

Times have changed for Maryland, Historic St. Mary's City, and the museum business. The national, state, and local governments are confronted with serious fiscal issues, while faced with increasing demands on social programs in areas such as crime, homelessness, hunger, health, and primary and secondary education. As a result, support for cultural and historical programs is being severely restricted.

It has then become clear that a significant part of the original mission of Historic St. Mary's City -- the creation of a major tourist site -- is no longer achievable. To construct a replica of the original settlement on the site of Maryland's first capital as an outdoor history museum would cost many millions for a State which now has other, more compelling priorities.

However, there now exists, perhaps for the first time, a remarkable opportunity to fully realize the General Assembly's vision and hopes for St. Mary's City. For the first time, a partnership has developed between the two institutions originally established to commemorate St. Mary's City. These two institutions -- a public liberal arts college and an historic museum -- now sense an opportunity to pool their resources in creating a new entity. The Historic St. Mary's City Commission has unanimously reached the conclusion that the future of HSMC lies in a creative union with St. Mary's College.

To that end, the Commission has approached St. Mary's College of Maryland with a proposal that the two institutions fully merge. Early discussions have been imaginative and exciting. They point to a new role for the historic site as a center for education on a range of subjects--historical archaeology, colonial American history, and Chesapeake science and culture. New educational programs could reach a broad range of students -- K-12, college and adults. With this merger, the College could develop programs in archaeology, colonial history, anthropology, and sociology which would garner national attention because of their proximity to and use of the National Historic Landmark of Historic St. Mary's City.

For Historic St. Mary's City, such a collaboration would allow full and affordable use of the unique assets that the state has saved and developed over the last 30 years. And, with academic and research resources available at the two institutions, St. Mary's can become among the most significant sites in North America for the interpretation and discussion of the colonial American experience.

For St. Mary's College, such a collaboration represents the chance to take an extraordinary next step towards its goal of becoming the very best of the small liberal arts institutions in the country. Together, the merger would create a national institution:

- a liberal arts college of national stature with an increased emphasis on the historic legacy of St. Mary's City;
- a liberal arts college which would focus on this historic legacy as examined from the perspectives of colonial history, archaeology, anthropology, and related disciplines which further elucidate the significance of what transpired at St. Mary's City over 300 years ago;
- an institution that would educate the general public, and the children and teachers of this country, about the significance of this legacy;
- an institution that would preserve, research, and study the artifacts, the events, and the ideas which make up the legacy of St. Mary's City;
- an institution that would reach out to the broadest possible national and international audience to tell this important story.

New Legislation Needed

Toward this end, the Historic St. Mary's City Commission and St. Mary's College seek the help of the Governor of the State of Maryland and the General Assembly in restructuring the current governance of the separate institutions to reflect the merger. This new governance should include the following:

- 1) The combined institutions would be governed by the president of the College and its Board of Trustees.
- 2) The archaeological assets of both institutions would be under the jurisdiction of the St. Mary's City Commission.
- 3) The Executive Committee of HSMC would be members of the College's Board of Trustees.
- 4) The budgets of the two institutions will be separate. Both will be administered by the College.
- 5) The Commission will continue in existence to formulate and recommend to the College policies concerning the preservation, archaeological excavation, and public presentation of HSMC.

Both the Commission and the College accept the obligation to preserve the scenic, historical and archaeological integrity of the site, and to keep it open to the public. Only a creative union of these two institutions can accomplish what neither one can accomplish alone.

Question: What will the merged institution do with the site?

Answer: While continuing public access to the site, the emphasis will be refocused on specific educational programs, including K-12, adult education, and academic historic archaeological research and study.

Question: Why is the merger a good idea?

Answer: The merged institution will have the educational, organizational, and creative resources to fulfill the original mission which was to illuminate St. Mary's City for the public.

Question: How will this merger be implemented?

Answer: The merger will be implemented by the enactment of legislation in the Maryland General Assembly. The legislation will provide that the Commission will continue for the express purpose of preserving and protecting not only the existing St. Mary's City Commission lands but also the lands of the College. The legislation will further provide that the College Board of Trustees, as guided by the Commission, will be charged with the mission of interpreting and carrying out the educational program of St. Mary's City.

Question: How will St. Mary's be managed and governed?

Answer: The governing body will continue to be the Historic St. Mary's City Commission and managed by an Executive Director appointed by that Commission. The Commission will have final authority over land use and archeological issues for all land currently overseen by both the college and the Commission. All other policy issues will be overseen by the St. Mary's College Board of Trustees. The members of the Commission's Executive Committee shall serve concurrently on the St. Mary's College Board of Trustees.

Question: How will St. Mary's City be funded and how will this funding be protected?

Answer: St. Mary's City will receive an annual restricted state appropriation. This appropriation, together with all proceeds secured by the Commission, will be expended at the discretion of the Commission as allocated by the St. Mary's College Board of Trustees. The College and Commission budgets will be segmented, with no commingling of funds possible. No St. Mary's City appropriation or fund may be expended for any purpose other than for programs which support Historic St. Mary's City.

Question: What assurance is there that the public will continue to have access to the site?

Answer: The Governor and General Assembly, as stipulated by the new enabling legislation, the Commission, and the College Board of Trustees will all require that public access to the site be a continuing commitment.

Question: What will happen to the town center and the chapel?

Answer: The town center reconstructions which are currently approved and funded will be completed and the chapel project will continue as a privately funded enterprise.

Question: How is this in the interest of St. Mary's City?

Answer: This merger ensures the protection of St. Mary's City by putting in place safeguards for its future. It is now clear that the State of Maryland simply cannot afford the cost of the General Assembly's original vision for St. Mary's: to be a major historic interpretive museum commemorating Maryland's first capital. The importance of this site and the legacy of St. Mary's City are too great to be lost. A merger with the college affords a new and dynamic opportunity: an opportunity to create at St. Mary's City a nationally acclaimed education institution focused on the St. Mary's legacy.

Question: How is this in the interest of the College?

Answer: The College will be able to develop a nationally recognized program in archeology, as well as boast of programs in colonial history, anthropology, sociology, and political science which will garner national attention because of their proximity to and use of the National Historic Landmark of Historic St. Mary's City. Expanding programs, through the Chesapeake Institute, will allow the College to host national discussions regarding the early colonial experience and legacy as examined from the perspectives of the social sciences, the behavioral sciences, the natural sciences, the humanities, and education.

Question: How will this affect the fundraising efforts of the two entities?

Answer: The needs of both institutions will be articulated through a single fundraising campaign. Funds will be solicited by a single fundraising effort in support of both institutions.

Question: What impact will the merger have on the boards of the two institutions?

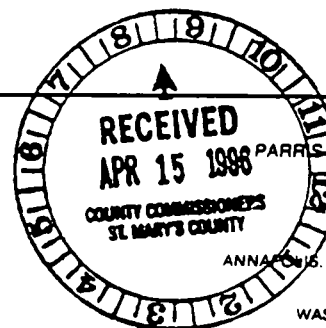
Answer: The College's Board of Trustee membership will expand in order to include all members of the Executive Committee of the Historic St. Mary's City Commission. The Commission would continue to be appointed by the governor at the recommendation of the Commission's board. A newly created standing committee of the St. Mary's College Board of Trustees will be responsible for the oversight of Commission affairs. The Commission's authority of oversight of land use will increase to include the College's land.

1/16/96

STATE OF MARYLAND
OFFICE OF THE GOVERNOR



April 9, 1996



PARRIS N. GLENDENING
GOVERNOR

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Mr. Aleck Loker
St. Mary's County Administrator
Governmental Center
P.O. Box 653
Leonardtown MD 20650

Dear Mr. Loker:

Thank you for your willingness to serve on a special task force to explore an affiliation between the Historic St. Mary's City Commission and St. Mary's College of Maryland in providing for the future operation and support of Historic St. Mary's City. The proposal, originally advanced by the Commission, could yield significant advantages for both institutions while also offering the possibility of financial savings for the State.

Recognizing the range of issues that may factor into a decision to affiliate the entities, I have asked Lieutenant Governor Kathleen Kennedy Townsend to chair a task force to fully examine the merits and feasibility of the proposal. Specifically, the task force should make the following determinations:

- If the proposal is a viable and appropriate one for both Historic St. Mary's City and St. Mary's College of Maryland;
- The method(s) by which such a proposal would be implemented; and,
- If the proposal is not considered viable or appropriate, what other options or opportunities exist to provide for the governance and support of Historic St. Mary's City.

It is my hope that by working together with the broader St. Mary's and Maryland community, the task force can build a consensus regarding the future of Historic St. Mary's City and the appropriate relationship with St. Mary's College.

The task force will hold its initial meeting on Monday, April 22, 1996, at 3:00 p.m. in the Lieutenant Governor's Office on the 2nd floor of the State House in Annapolis. I look forward to receiving a report of your findings and recommendations by October 15, 1996. This will allow time for the drafting of legislative proposals for submission in the 1997 Session of the General Assembly. Your assistance and support in this effort are greatly appreciated.

Sincerely,

Parris N. Glendening
Governor

THE FIVE MARYLAND LEGACIES

Appendix B

In order to enhance the physical plans recommended for the ST. Mary's City Town Center by Mary Means & Associates, HSMC staff worked with HSMC Commissioner Cary Carson to develop an exhibit plan outline for Maryland's 17th century capital. Entitled "St. Mary's City, Maryland Birthplace, American Legacy," the plan focuses not only on the religious, political, social and cultural experiment set in motion by Maryland's founders 300 years ago, but also its legacy that has challenged succeeding generations. In exploring the actual site where Maryland began, visitors will bring away historical perspective on their own lives and times.

The Five Maryland Legacies were defined as follows:

Liberty of Conscience

Rulers in 17th-century Europe, including England, established the religion that their subjects were obligated to worship, taxed them for its support, and often made war on those who refuse to conform. By contrast, the Catholic proprietors of Maryland granted liberty of conscience to all Christians by making religion a matter of private choice, abolishing taxation in support of the church, and removing religious tests for participation in government in politics. The Baltimores' experiment in toleration, perhaps the first of its kind in the European world, lasted for 55 years.

Resource Stewardship

Seventeenth-century settlers in Maryland and Virginia found an abundance of land, forests, water and wildlife, but very soon they paid the costs of over-exploitation. Tobacco and corn, the foundations of the Chesapeake economy, consumed nutrients rapidly and soon exhausted the soil. Planters quickly learned to conserve their land by letting it lie fallow for long periods after a few years of cultivation. Settlers were less careful of wildlife, but even as early as the end of the century they were protecting spawning grounds for fish.

Cultural Diversity

The population of 17th-century Maryland was a mixture of European whites, black Africans and native Americans, all with different outlooks, needs and beliefs. Lord Baltimore's official policy of religious toleration attracted Europeans of many religious persuasions, a form of diversity that some settlers accepted and other deplored. The local Indians were an uneasy addition to the growing population of immigrants and slaves. Their legal rights were ambiguous, and they enjoyed no social parity in the eyes of whites. The slave population increased rapidly towards the end of the century as whites based more and more of their prosperity on the total expropriation of the fruits of black labor.

Pursuit of Happiness

Immigrants from England and Europe came to Maryland and Virginia in the 17th century in search of new opportunities. For many the Chesapeake proved to be a good "poor

man's country" where hardworking settlers, if they remained healthy, could acquire land and economic independence not available to them in the Old World.

Citizen Government

The Lords Baltimore and their settlers introduced English institutions of government, including an elected lower house of assembly and a system of local government that depended heavily on participation by ordinary citizens. The definition of citizenship was broader in Maryland than in England. A much larger proportion of free white adult males enjoyed the right to vote and hold office.

Prepared by Dr. Lois Green Carr

A. RELATIONSHIP FOR HISTORIC ST. MARY'S CITY

AND

ST. MARY'S COLLEGE OF MARYLAND:

AN ALTERNATIVE PROPOSAL

BACKGROUND

In December 1995 the Historic St. Mary's City Commission (HSMC) made a proposal to Governor Glendening calling for legislative and administrative changes that would lead to "...a creative union with St. Mary's College...." The proposal for this "merger" was made for a number of reasons, chief among them:

- 1) The Commission had determined that the original vision for HSMC as a major tourist destination was not realistic, and that the future for the preservation and interpretation of the unique historic resources of HSMC lay in a new role as a center for focussed continuing education on a range of historical, archaeological and colonial subjects;
- 2) Such a redirection obviously calls for expanded collaboration with St. Mary's College that would benefit both institutions;
- 3) The Commission desires greater flexibility and control over its operations than that afforded by the restrictions involved in its status as an official executive branch state agency (e.g., compliance with statutory personnel, procurement and other requirements);
- 4) Close affiliation with St. Mary's College offered not only greater administrative flexibility, but also could provide a substitute for the administrative infrastructure that would be lost in a separation from state government; and
- 5) Consolidation of certain common support services with the College could produce economies of scale and cost savings for both institutions.

Recent discussions, however, have surfaced reservations on the part of various participants that a full-fledged "merger" also could pose some potential liabilities for both institutions.

ALTERNATIVE PROPOSAL

It is possible to achieve most and even all of the advantages embodied in the Commission's original proposal through an affiliation that is less than a "merger." In brief, this alternative would involve two actions: 1) amend only the authorizing statute for HSMC (not that of the College) to restructure HSMC as a state-chartered, independent quasi-public corporation with the advantages of a state agency and a private nonprofit; and 2) enter into a Cooperative Agreement between HSMC and the College containing specific provisions and mutual considerations for those functions and programs that can be consolidated or implemented collaboratively.

AN INDEPENDENT HSMC

There is ample precedent in Maryland statute for the creation of special entities to carry out a desirable public purpose without the entity being bound by all of the legal and regulatory restrictions that apply to mainline state agencies. Generally such entities have been created when their purpose could best be served by the ability to operate as a private entrepreneurial organization, while retaining a right to request continuing access to state resources and appropriations. The statutory construction of these entities has varied widely (e.g., Maryland Stadium Authority, Maryland Economic Development Corporation [MEDCO], Chesapeake Bay Trust, Enoch Pratt Library System, and, in fact, St. Mary's College).

The authorizing statute for HSMC could be amended to restructure the Commission as such a state-chartered, quasi-public corporation. It could operate almost identically to a 501 (c) 3 private nonprofit organization. Contributions to the Commission would be tax deductible. The statute could provide specific exemptions from the state's personnel and procurement codes. It also could provide for exemption from other state requirements as desirable. The only state government requirement that would be mandatory is compliance with the state Code of Ethics. It also would be possible for the employees to participate in state benefits packages (e.g., pension, health insurance), without being "state agency" employees.

The statute could be silent on continuing state funding for operations and capital expenditures, or it could be quite specific. There is precedent for a statutory "floor" under the operating budget of such entities (St. Mary's College), and for facilities operated by such entities to be treated as state properties for capital budget purposes (Pratt Library System). It would be prudent to require that, even though the budgets of HSMC and the College would be separate and distinct, they be developed and submitted in conjunction with each other. This would allow the Governor and the General Assembly to evaluate

budgetary requests that have joint implications for both institutions in the proper context. Even without specific provisions, such a restructuring would be budgetarily neutral since mainline state agencies do not enjoy any funding guarantees, other than the right to request an annual budget.

The Commission would need to consider any other special provisions it might deem desirable: e.g., should the Commissioners be gubernatorial appointees, self-perpetuating, or a combination; special provisions related to the disposition of state land; etc.

A COOPERATIVE AGREEMENT BETWEEN HSMC AND THE COLLEGE

The economies of scale, cost savings and programmatic opportunities envisioned in the Commission's original proposal could be achieved through a Cooperative Agreement executed between the Commissioners and the Board of Trustees of the College. The relationship established would be contractual in nature, rather than statutory. It would be desirable for the agreement to be as specific as possible and provide for specific mutual considerations. A vague agreement "to cooperate" or "to plan to plan" will not be particularly persuasive to anyone.

HSMC and the College should immediately focus on the potential specific provisions of such a Cooperative Agreement, with attention to two distinct arenas:

Opportunities for programmatic collaboration with emphasis on research, educational programs and outreach, and public interpretation. HSMC and the College currently cooperate informally in a number of these areas; these could be made more formal and expanded. The agreement could provide for wholly new initiatives (e.g., the proposed Chesapeake Institute), or start modestly by identifying only existing programs that share common ground that could be improved through more specific mutual considerations.

Opportunities for full or partial consolidation of administrative overhead and support operations. Obvious areas warranting examination might include plant maintenance and operations, groundskeeping, budget preparation and fiscal management, commodities and services procurement, security, personnel systems, public relations, and joint development/fundraising.

An agreement of this nature could provide a basis for consolidation and collaboration in only those functions and programs that appear prudent and feasible at this point in time. It could be expanded or contracted as conditions evolve. While the parties would be contractually and morally bound to live up to the agreement, it could be designed to be mutually dissolved without significant consequences.

CONCLUSION

While the legislation to amend the HSMC authorizing statute and the proposed Cooperative Agreement are separate actions and documents, they should be developed in parallel and submitted together to the Governor and the General Assembly (and, for that matter, the concerned local community). The Cooperative Agreement can help make the case for the amended legislation by making clear the full implications and intentions.

This proposal can be developed now and, with some concentrated effort, be submitted to the 1997 Session of the General Assembly. To maximize the opportunities for collaboration between HSMC and the College will require both institutions to more fully develop their separate and joint visions of their future--and that will and should take more time. The Cooperative Agreement, however, can evolve and be mutually amended. With time, experience and successes, a true "merger" may prove to be the ultimate outcome.

April 23, 1996

TO: Study Group on the merger of the St. Mary's City Commission with St. Mary's College of Maryland

FROM: J. Frank Raley

SUB: Suggestions

1. SMCC will have an individual board appointed by the Governor.
2. The mission of the St. Mary's City Commission will be jointly approved by the SMCC and College boards.
3. Policies will be jointly approved by the SMCC and College boards.
4. The president of St. Mary's College of Maryland will exercise full administrative authority over the SMCC operation.
5. The SMCC board will initiate separate budget requests including capital to be approved by the College board for submission to the governor and legislature as adjunct to the College budget. This is not meant to preclude the College's president from integrating or merging administrative functions into the College structure. It is meant to track costs for funds allocated to the two different missions.
6. The SMCC allocated operating budget will be separately segregated and administered by the director of SMCC under the direction and control of the College president. The budget allocated to SMCC will be on a block grant basis.
7. The director of the SMCC will be appointed by the SMCC board and approved by the College board.
8. The ownership of the SMCC land will be retained by the SMCC board.

COMMENTS:

There can be many variations to these proposals, shifting power one way or the other. For example, the College board could be given all authority and the SMCC board could serve in an advisory capacity. It is critically important, however, to maintain the separate budget allocation to prevent erosion of College resources for a peripheral mission and to maintain a mission for SMCC.

Under this proposed direction, the SMCC could retain its integrity but enter into a joint agreement with the College to merge resources to achieve broader intellectual and fiscal capacity under a collaborative agreement with centralized administrative authority.

SYNOPSIS OF PREVIOUS CONSULTANT STUDIES

APPENDIX B

STUDY 1: Marketing Study for Historic St. Mary's City, by Economic Research Associates,
June 1996

PURPOSE: To determine the market potential for HSMC to increase visitation and to enhance revenues if their December 1995 Business Plan development activities were completed.

OBSERVATIONS:

- a. Maryland residents comprise about 66% of HSMC visitors
- b. HSMC market penetration (state residents) is less than 1%. Other comparable living history museums average 2%.
- d. The main impediment is the uncompleted state of the museum exhibits and site specific problems:
 - relatively few exhibit structures to hold visitor interest
 - long distance between exhibits
 - inadequate & poorly located Visitor Center
 - lack of focus at Town Center
- e. Consultant believes visitation would double to about 105,000 visitors per year if the development activities proposed in the 1995 Business Plan were accomplished and if aggressive marketing were done.
- f. The report contains revealing comparisons between HSMC and other outdoor museums. For example, in cost per visitor, HSMC at \$27.54 per visitor ranks nearly at the top, exceeded only by Explore Park which opened in 1994. Of the established outdoor museums, Old Sturbridge Village is the next highest at \$22.42 per visitor. Cost data was not available for Colonial Williamsburg.

RECOMMENDATIONS: ERA recommended five strategies to achieve the stated objectives of increased visitation and enhanced revenues. They called the first strategy a precondition, which if not implemented, all others will be unproductive.

- a. Reconstruct the buildings as planned. Build a new Visitor Center adjacent to Rt. 5. Relocate the "Dove" dock. Consolidate the activities towards the historic Town Center.
- b. Increase penetration of the Maryland resident market.
- c. Focus on events through publicity and paid advertising tied to specific events. Do joint promotion and advertising, tour packaging, etc.
- d. Develop cooperative marketing programs with Southern Maryland entities and longer distance promoters, especially Calvert Marine Museum and Point Lookout.
- e. Expand the education market by direct appeal to school groups and adult markets.

They recommended a \$100,000 marketing budget, to be achieved after a five year ramp up.

Revenues would be maximized by focusing the marketing strategy to emphasize general admissions.

STUDY 2: Marketing/Feasibility Study, by Charles H. Bentz Associates, Inc. December 1995

PURPOSE: To determine the feasibility of HSMC raising sufficient funds to reconstruct the Brick Chapel and to establish a \$2.5 million endowment to support continuing operations.

OBSERVATIONS:

- a. Attendance at cultural institution is growing at a rate three times the growth in sporting event attendance.
- b. Philanthropists view their contributions as investments.
- c. HSMC must place as much emphasis on developing and nurturing donors as on collecting and preserving.
- d. The Case Statement Bentz developed was well received by those interviewed.
- e. Interviewees see HSMC as a valuable national as well as state heritage site.
- f. A low level of public awareness of HSMC exists.
- g. Location and accessibility to the site hinder public awareness/visibility.
- h. The interviewees were relatively unaware of HSMC programs and events.
- i. The Brick Chapel reconstruction project holds more potential for fund raising than the endowment. One third felt both the chapel and endowment are feasible. A "slightly higher" percentage believed the chapel project could be successful. The only significant support came from Foundation and Commission members.
- j. The commission appointees are highly regarded.
- k. The Foundation Board needs to bring in members from beyond St. Mary's County who can provide linkage to a broader philanthropic market.
- l. The lowest awareness of HSMC was among the business/community leaders within the interview group.
- m. Eighty percent thought the Catholic community may take a special interest in the Brick Chapel campaign. However, the campaign should seek support from all religions due to the religious tolerance theme.
- n. Within the state, the Baltimore corporate community is viewed as where funds should be sought, but this is a "very competitive" philanthropic market.

CONCLUSIONS: POSITIVES

- a. HSMC has a high historic value within Maryland.
- b. The Madrigal Dinner is the best recognized HSMC event.
- c. The Lead Coffin Project is identified with HSMC.
- d. Sara Patton is highly regarded for her leadership as Executive Director.
- e. The commission members likewise are well respected.

NEGATIVES

- a. Low public awareness throughout Maryland is due to the geographically isolated location and lack of aggressive marketing.
- b. Confusion exists over what HSMC is trying to achieve: tourism/economic development or preservation or archaeological research or a living history museum.

- c. The Foundation Board membership is too local to effectively tap state or national philanthropy.
- d. Fund raising has been limited, lacks donor consistency and lacks organization and staff.

STUDY 3: Historic St. Mary's City--A MAP III Report for the American Association of Museums, by William T. Alderson and John L. Wright, December 1995

PURPOSE: To conduct a critical analysis of HSMC as an outdoor history museum.

OBSERVATIONS:

- a. HSMC's focus was on acquisition and historical archaeology until 1984 when pressure mounted to make the site an outdoor museum to provide an economic boost to Southern Maryland.
- b. A tension continues among staff between those who would focus on 17th century versus those who would interpret HSMC in the continuum of life from 1634 to the present. (The official policy is to focus on the 17th century).
- c. HSMC's geographic isolation, treasured by its neighbors, is a handicap to visitation. HSMC lacks the accessibility enjoyed by other museums such as Old Salem or the Henry Ford Museum.
- d. HSMC governance is complex. The commissioners' power is limited. Greater autonomy will produce a more professional operation.
- e. A variety of "mission statements" have been floated. While not inconsistent, they suggest yet another, perhaps clearer and more concise vision is needed.
- f. Attendance of 65,000 with about 32,000 paid visits (including 11,000 school children). More effective marketing is needed and should be a high priority, even "at the expense of reducing some of the program activities."
- g. Visitors are disoriented by the site.
- h. Archaeologists accomplishments have yet to be matched by development of a meaningful museum presentation.
- i. 814 acres are overwhelming. Compare to 173 acres at Colonial Williamsburg or 66 acres at Old Salem.
- j. The site lacks focus. The buildings merge with the college campus. The plantation site is hidden from view. The visitor center in barns is inadequate.
- k. Reconstruction of the church may help.
- l. Cannot expect visitors to walk the site. ADA problems also cited.
- m. It is unlikely that visitors will take the time needed to explore all the features of the site. Time is more important to visitors than the cost of admission.
- n. The organization needs to change its focus to an outward reach to the state and the nation.
- o. Preservation of the rural landscape part of the mission may have become a burden on the more public aspects of the mission.
- p. HSMC has developed high quality school programs. They require a high level of staff guidance due to the lack of exhibits and dependence on verbal interpretation.
- q. The essential significance of HSMC as realized by the legislature is "where Maryland began."
- r. The site is underutilized by the public. There is poor public awareness. The Lead Coffin

Project could be the heart of a successful public information campaign.

RECOMMENDATIONS:

- a. Get the buildings built--that is essential.
- b. Make marketing a priority.
- c. Consider automobile or bus tours of the sites--need to expand parking.
- d. Develop an audio tape tour cassette.
- e. Build a new Visitor Center adjacent to RT. 5.
- f. Expand to 7 day per week operation.
- g. Establish a stronger HSMC presence in the school curriculum.
- h. Take the site to the schools using various communication techniques such as distance learning.
- i. Market cooperatively in the region--join with the Calvert Marine Museum in marketing.
- j. Commission should develop a two to three year plan which breaks the 1991 Master Plan down into manageable pieces.

STUDY 4: Historic Saint Mary's City, Master Plan Update, by Mary Means & Associates, Inc., January 1991

PURPOSE: To build on the past successes, but to develop a larger sense of what ought to be, a clear vision for the future with a five-year approach to accomplishing that vision.

OBSERVATIONS:

- a. The HSMC interpretive program presents an historic experience without parallel in Maryland history.
- b. There is no clear visual sense of arrival at HSMC, no clear primary entry to the site.
- c. The Blue Barn Visitor Center is inadequate for a number of reasons.
- d. Serious need to create a clear intellectual and visual separation between contemporary exhibit presentations and the historic experiences of people within the historic city and the farms. No overt and consistent recognition of the important separation between the 17th century historic site and contemporary interpretive and other facilities--causes visitor confusion.
- e. Absence of a systematic signage program.
- f. Scattered site layout discourages visitor exploration. Need internal transportation system.
- g. No clear system of accessible interpretive walks.
- h. No tangible three dimensional presence to the historic city--no buildings.
- i. No visible sign of the original Baroque Plan road pattern.
- j. Modern buildings and other contemporary intrusions create visual and intellectual confusion.
- k. Land management techniques need to be implemented to emphasize the 17th century site and open up the vista across the town.
- l. Archaeological research should be used as an interpretive tool as well as academic research.
- m. Brome-Howard site needs to be cleared so that underlying 17th century features can be restored.
- n. Godiah Spray Plantation is two generations beyond the first (subsistence Level) farming

- employed in the colony. It represents the evolution to a successful planter condition.
- o. Exhibit area for the "Dove" needs reconfiguration to restore the 17th century look.
 - p. Identified the recreational potential at Chancellor's Point.
 - q. Need to strengthen the educational outreach.
 - r. The City and College work in close proximity, but there seems to be little significant cooperation or mutual support between them. There is no graduate-level program formally associated with HSMC, arguably the best 17th century historical and archaeological research enterprise in the Mid-Atlantic.
 - s. Need for more work on conserving scenic views using easements and land management tools.
 - t. Total number of visitors is far too low to support significant programmatic expansion and will continue to be so until the major physical facilities, interpretive programs and staff described in this plan are in place.
 - u. The absence of a small inn/conference center limits both tourism and increased institutional use of both the College and HSMC by related agencies and organizations.

RECOMMENDATIONS:

- a. The consultant proposed "Five Maryland Legacies" around which the HSMC mission, goals and objectives would be formulated. They also proposed a "refined" mission statement. The plan they developed was characterized as a "breakthrough" plan.
- b. Plan and build a new, more visible Visitor Center/Museum closer to the State House or the Brick Chapel site. Use Anne Arundel Hall as a temporary Visitor Center/Museum until the new facility is built.
- c. Clarify and strengthen the interpretive experience by creating and maintaining two clearly distinct domains, separating the 17th century from the contemporary.
- d. Remove all post 17th century structures; specific reference to Brome-Howard house and appurtenances.
- e. Give the city a three-dimensional reality by reconstruction and ghost structures. Reconstruct the exterior of the Brick Chapel and use the interior for continuing archaeological interpretation. Reestablish the Baroque Plan street pattern.
- f. Revise the interpretive plan around the five legacies. Expand the educational outreach program.
- g. Establish a formal academic graduate program in historical research and archaeology that focuses on HSMC and develop complementary opportunities for undergraduates.
- h. Complete a comprehensive archaeological survey of the entire site.
- i. Implement a program of landscape management along specific lines recommended in the report.
- j. Secure a MD Rt. 5 bypass of the historic city. Reinforce the rural character of the entrances.
- k. Accelerate efforts to protect key vistas.
- l. Many very specific and important details are recommended in the 14 strategies proposed in this master plan. Some of them have been incorporated into the 1995 Business Plan.

STUDY 5: Museum Assessment Program Report--Historic St. Mary's City, by Paul B. Parvis, American Association of Museums, Summer 1990

PURPOSE: To become more professional and eventually become AAM accredited.

OBSERVATIONS:

- a. HSMC is a superior site.
- b. Viewscapes have been preserved.
- c. General problems: bureaucracy, political position, leadership changes, financial dependency on the state.
- d. Hardworking, dedicated staff.
- e. Added infusions of state/private funds and human resources needed.
- f. The major issue: overall direction of the organization (i.e. mission and focus).
- g. Tension exists within the staff over whether to focus on the 17th century or have a broader historical context.
- h. Need a new master plan which embodies better strategic planning techniques (i.e. developed through participation of the staff and the commission members; having measurable goals and objectives).
- i. Governance of HSMC is difficult due to the existing placement in the state bureaucracy. The authority of the commission is unclear. The structure is generally ineffective from a leadership standpoint.
- j. Strained, fragile and vulnerable financial base.
- k. HSMC performance is judged in Annapolis by the number of visitors.
- l. Need to further develop corporate, foundation and deferred giving support--cultivate on a regular basis.
- m. Must involve the fund raising arm in the long range planning effort.
- n. A strong relationship exists between the maintenance staff at HSMC and the college.
- o. Image problem--visitors expecting to see something like Colonial Williamsburg ask, "Where's the city?"
- p. HSMC enjoys good media coverage, but has a limited promotional budget.
- q. Rental activity is a distraction--rental fees should be structured to recover all costs plus a net income.

RECOMMENDATIONS:

- a. Specific management improvements needed including: better communication, employee development, balancing workload with available personnel to avoid overload.
- b. Compensation needs improvement--pay equity issue within state employment structure.
- c. Disparate clusters of activity on the site need to be linked.
- d. Need to take advantage of the "untapped potential" of the education programs.
- e. Do outreach programs during the winter to bolster "sagging visitation figures."

STUDY 6: Preserving St. Mary's Townlands, Preserving St. Mary's Townlands Study Committee, Mark R. Edwards, DHCD, June 1990

PURPOSE: To examine the progress of the commission and identify strategies to continue

OBSERVATIONS:

- a. The 1970 Plavnik master plan continues to have integrity. The 1200 acre "preservation area" was an imaginative and innovative concept based on careful historical and archaeological research.
- b. The intent of the state is to own as little additional land in fee simple as possible (except for a few small parcels).
- c. No property in state ownership should be sold. Committee discussed ancillary uses for some of the state owned land including: warehousing, maintenance shops, parking.
- d. The 863 acre legislatively imposed limit for acquisition is an impediment to the plan.
- e. The plan is challenged by: accelerating residential development, a rapidly developing college campus, inadequate funding of historical and archaeological research, inadequate capital and operating funds, continuing poor public perception, permissive local land use controls, and use of MD Rt. 5 as a major artery which bisects the historic area.

RECOMMENDATIONS:

- a. Purchase a number of parcels (identified in report).
- b. Legislature expand the 863 acre cap to allow purchase of Clocker's Fancy and St. Barbara site.
- c. Protect "viewsheds" via various techniques including : purchase of the Algonquin Village development area, use of easements and establishing a local land trust.
- d. State funds be provided to aggressively complete the remaining archaeological survey work needed to allow sensible land use planning.
- e. Committee recommended a new mission statement.
- f. Committee recommended various local land use and management techniques for consideration by St. Mary's County Planning and Zoning Department and the County Commissioners.
- g. College and City should enter into a memorandum of agreement specifying coordination of all design and long-range development issues of common interest.
- h. College and City should meet routinely and periodically to discuss areas of potential cooperation.

STUDY 7: Public Programming at St. Mary's City--A Self Evaluation, by Irene Burnham and Michael J.Devine, 1984

OBSERVATIONS:

- a. HSMC staff members are highly skilled, creative and committed.
- b. Considerable progress has been made toward achieving the 1970 Master Plan.
- c. Budget increases have been obtained--HSMC has established a niche within state funding process.

- d. The relationship with local, state and the surrounding communities "are fine, have improved , or are being molded."
- e. HSMC needs to define its purpose clearly and compellingly.
- f. The administrative and management area needs adjustment and greater clarity.
- g. Insufficient staffing levels.
- h. Need to streamline operations and attract visitors.
- i. Highly critical operational problems were identified.
- j. This study provides considerable analysis of alternative focus and framework for HSMC and the changes they would impose on the operation.
- k. "HSMC's future development is tied to the disposition of surrounding land and the establishment of support hotel, restaurant and other facility."

RECOMMENDATIONS;

- a. Develop a mission statement which will direct future programs and site development.
- b. The staff and commission members should collaborate on the mission statement so that it is clear to all and acceptable.
- c. A name change may alleviate some of the public perception problems.
- d. Clearly define the lines of authority,
- e. Improve internal communication.
- f. Future programming should be developed in ways which will not tax the energy of visitors.
- g. Develop interconnecting trails between the exhibits with interpretative wayside stations.
- h. Launch a more aggressive public relations campaign to reach and draw visitors to achieve the desired visitation rate.
- i. Public relations must reflect a consistent identity which can pervade the consciousness of potential audiences.
- j. Get relief from the cumbersome bureaucratic layers.
- k. Explore and compete for available federal funding.
- l. Establish an effective private fund raising arm.

**DRAFT LEGISLATION FOR
HISTORIC ST. MARY'S CITY**

APPENDIX C

A BILL ENTITLED

AN ACT Concerning

HISTORIC ST. MARY'S CITY COMMISSION

FOR the purpose of [to be added]]

BY repealing

Article 83B
Section 5-201 through 5-212
Annotated Code of Maryland

BY adding to

Article - Education
Title 24
Subtitle 5. Historic St. Mary's City
Sections 5-401 through 5-425 inclusive
Annotated Code of Maryland

PREAMBLE

WHEREAS, The General Assembly recognizes the historical significance and archaeological value of Historic St. Mary's City as the site of Maryland's First Capital and has long supported its preservation, interpretation and development; and

WHEREAS, Historic St. Mary's City has not as yet become widely known or appreciated to the extent due this place of extraordinary historic and archaeological value located at a site of special natural beauty on the St. Mary's River; and

WHEREAS, the General Assembly is in receipt of the report of the Task Force chaired by Lieutenant Governor Kathleen Kennedy Townsend established by the Governor in April of 1996 to explore the potential for an affiliation between the Historic St. Mary's City Commission and St. Mary's College of Maryland in providing for the future operation and support of Historic St. Mary's City, as well as other options and opportunities to provide for the governance and support of Historic St. Mary's City; and

WHEREAS, the Historic St. Mary's City Commission has been successful in (a) acquiring and preserving 835 acres of the original Town Lands of St. Mary's City, (b) constructing several outdoor museum exhibits including an authentic 17th-century sailing ship (The Dove), a public inn (Farthing's Ordinary), a tobacco plantation (Godiah Spray Plantation), and an Indian hamlet, (c) developing on-site and off-site educational programs with costumed interpretive staff for elementary school students, (d) identifying, through painstaking historical research, the major contributions the early Maryland settlers made in the development of American Civilization, such as religious toleration and representative government, as well as (e) archaeological investigations which have made discoveries of national and international significance, such as the first Roman Catholic Church in English America, the use of a unique and revolutionary urban design in the layout of the colony's first city, and most recently the discovery of three rare lead coffins containing members of Maryland's founding family, the Calverts; and

WHEREAS, the scientific and research elements of the program at Historic St. Mary's City have enjoyed widespread respect among its academic and research peers both nationally and internationally, while the funding, organizational structure and strategies for expanding the knowledge and appreciation of Historic St. Mary's City have not been adequate to date to provide the widespread public knowledge and appreciation the site so richly deserves; and

WHEREAS, The Commissioners of the Historic St. Mary's City Commission recognize that it is not economically feasible at the present time to develop Historic St. Mary's City into a major tourist attraction in the manner of Colonial Williamsburg or Old Sturbridge Village; and

WHEREAS, the Commission has determined that the most viable future for Historic St. Mary's City lies in a more intensive educational focus where the museum can serve as a center for education on a range of subjects, including especially historical archaeology and early colonial American history significant to Maryland as well as the nation; and

WHEREAS, The General Assembly wishes to fulfill its pledge to preserve and support Historic St. Mary's City and its archaeological treasures and ensure that its rich historical, ecological and archaeological legacy will be developed and shared with the public in an appropriate and effective manner; and

WHEREAS, this legislation aims to facilitate a more effective relationship with the General Assembly, the community, regional, state-wide and national organizations of similar interests, as well as with its highly successful neighbor, St. Mary's College of Maryland;

NOW THEREFORE:

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article - Education

Title 24. Miscellaneous Education Agencies

SUBTITLE 5. HISTORIC ST. MARY'S CITY

PART I. ESTABLISHMENT OF THE HISTORIC ST. MARY'S CITY COMMISSION

24-501 [Creation]

(A) THERE IS A HISTORIC ST. MARY'S CITY COMMISSION.

24-502 [Declarations and Findings; Legislative Intent]

(A) THE GENERAL ASSEMBLY MAKES THE FOLLOWING DECLARATIONS
AND FINDINGS:

(1) ST. MARY'S CITY IS THE BIRTHPLACE AND FIRST CAPITAL OF MARYLAND AND OCCUPIES A UNIQUE PLACE IN AMERICAN HISTORY WHICH DESERVES HONOR AND RESPECT. ST. MARY'S CITY IS THE POINT OF ORIGIN OF MANY OF THE SEMINAL AND VITAL SOCIAL, POLITICAL, RELIGIOUS AND HUMANE PRECEPTS OF OUR NATION AS LATER CAME TO BE REFLECTED IN THE UNITED STATES CONSTITUTION AND BILL OF RIGHTS. ST. MARY'S CITY SHOULD BE PROTECTED AND DEVELOPED AS A MEMORIAL TO MARYLAND'S HISTORICAL BEGINNINGS AND HER EXTRAORDINARY CONTRIBUTION TO THE DEVELOPMENT OF THIS NATION.

(2) MANY MARYLAND AND NATIONAL "FIRSTS" OCCURRED AT ST. MARY'S CITY. ST. MARY'S CITY WAS THE PLACE WHERE (A) THE SEPARATION OF CHURCH AND STATE WAS FIRST PRACTICED IN THE UNITED STATES STARTING IN 1634, (B) MATHIAS DE SOUSA WAS THE FIRST MAN OF AFRICAN DESCENT TO VOTE IN A LEGISLATURE IN 1645 (C) THE FIRST WOMEN'S REQUEST FOR THE RIGHT TO VOTE WAS VOICED BY MARGARET BRENT IN 1647, AND (D) THE FIRST RELIGIOUS TOLERANCE ACT WAS ADOPTED IN 1649.

IN ADDITION, HISTORIC ST. MARY'S CITY IS ONE OF THE OLDEST AND BEST PRESERVED EARLY COLONIAL TOWN SITES REMAINING IN AMERICA. THE FIRST ROMAN CATHOLIC CHAPEL IN THE ENGLISH COLONIES WAS ESTABLISHED THERE IN 1635, THE FIRST USE OF TOWN PLANNING CAME IN 1668, AS WELL AS THE FIRST PRINTING PRESS IN THE SOUTHERN COLONIES IN 1685.

MOREOVER, EVENTS OF TREMENDOUS HISTORICAL SIGNIFICANCE TO THE DEVELOPMENT OF THE STATE OF MARYLAND OCCURRED AT ST. MARY'S CITY, INCLUDING THE FIRST STATE HOUSE OF MARYLAND IN 1634, THE FIRST MARYLAND INDUSTRIES, BRICK MAKING AND IRON WORKS, WERE ESTABLISHED IN THE 1630'S, THE FIRST MILL OPERATED IN MARYLAND (1635), THE FIRST PUBLIC INN OPENED IN MARYLAND (1638), THE FIRST ANGLICAN CHURCH IN MARYLAND (1643), AND THE FIRST OFFICIAL CITY IN MARYLAND (1668).

(3) THERE IS A GREAT NEED TO ENCOURAGE THE STUDY AND APPRECIATION OF THE SIGNIFICANCE OF ST. MARY'S CITY TO THE HISTORY OF MARYLAND AND THE NATION. THE GENERAL ASSEMBLY RECOGNIZES THAT THE ORGANIZATIONAL STRUCTURES AND FUNDING FOR ST. MARY'S CITY HAVE NOT BEEN ADEQUATE TO PRODUCE THE KNOWLEDGE OF, OR APPRECIATION FOR, ST. MARY'S CITY THAT IT IS DUE FROM THE CITIZENS OF THIS STATE AS WELL AS OF THE NATION, AND FINDS AND DECLARES THAT A NEW COURSE OF ACTION IS NEEDED.

(4) THE HISTORIC ST. MARY'S CITY COMMISSION NEEDS THE STATE TO PROVIDE BASIC OPERATIONAL FUNDING AND ORGANIZATIONAL FLEXIBILITY TO OPERATE SUCCESSFULLY HISTORIC ST. MARY'S CITY ALONG WITH AN INCREASED EMPHASIS ON SOLICITING OTHER PUBLIC AND PRIVATE FUNDS TO PROVIDE SUPPORT FOR EDUCATIONAL INITIATIVES, RESEARCH, STUDY AND CURATION, AS WELL AS ACCELERATED ARCHAEOLOGICAL PROJECTS AND CAPITAL IMPROVEMENTS.

(5) EVERY MARYLAND SCHOOL CHILD SHOULD BE KNOWLEDGEABLE AS TO THE HISTORY OF ST. MARY'S CITY AND ITS SIGNIFICANCE NOT ONLY TO THIS STATE BUT TO THE DEVELOPMENT OF THE NATION. AS RESOURCES BECOME AVAILABLE, EDUCATIONAL OPPORTUNITIES SHOULD BE EXPANDED TO SECONDARY AND COLLEGE AGE STUDENTS AS WELL AS ADULTS PURSUING CONTINUING EDUCATIONAL OPPORTUNITIES.

(6) AN AFFILIATION BETWEEN THE COMMISSION AND ST. MARY'S COLLEGE OF MARYLAND WILL ALLOW THE COMMISSION TO PUT TO FULLER AND MORE EFFECTIVE USE THE ASSETS THAT THE STATE HAS ACQUIRED,

PRESERVED AND DEVELOPED AT HISTORIC ST. MARY'S CITY OVER THE LAST 30 YEARS.

(7) THE ESTABLISHMENT OF THE HISTORIC ST. MARY'S CITY COMMISSION AS A PUBLIC CORPORATION AND PROVISION OF BASIC OPERATING FUNDS BY THE STATE IS IN THE PUBLIC INTEREST AND WILL FACILITATE THE MANAGEMENT, OPERATION, AND DEVELOPMENT OF THIS NATIONALLY IMPORTANT HISTORIC SITE.

(8) HISTORIC ST. MARY'S CITY WILL BENEFIT FROM A CREATIVE AFFILIATION AND MORE FORMAL COLLABORATION WITH ITS GEOGRAPHIC NEIGHBOR, ST. MARY'S COLLEGE OF MARYLAND, ITSELF DESIGNATED IN 1840 AS A LIVING MONUMENT TO THE LEGACY OF MARYLAND'S FIRST COLONIAL CAPITAL.

(9) BOTH THE COMMISSION AND THE COLLEGE ARE COMMITTED TO PRESERVING THE SITE OF MARYLAND'S FIRST COLONIAL CAPITAL AND ITS ARCHAEOLOGICAL TREASURES WHILE CONTINUING TO ASSURE THAT THE GENERAL PUBLIC AND MARYLAND SCHOOL CHILDREN IN PARTICULAR HAVE CONTINUED OPPORTUNITIES TO VISIT AND EXPERIENCE THIS IMPORTANT 17TH CENTURY HISTORICAL SITE.

(B) THE GENERAL ASSEMBLY FURTHER STATES ITS LEGISLATIVE INTENT IN THE ENACTMENT OF THIS ACT TO BE AS FOLLOWS:

(1) TO FACILITATE THE EFFICIENT AND EFFECTIVE OPERATION OF HISTORIC ST. MARY'S CITY, THE STATE'S HISTORICAL MUSEUM AND ARCHAEOLOGICAL PARK AT MARYLAND'S FIRST CAPITAL, AS WELL AS ENHANCE THE CAPACITY AND AUTHORITY OF THE COMMISSION TO PRESERVE, PROTECT AND APPROPRIATELY USE THE HISTORIC AND ARCHAEOLOGICAL ASSETS OF HISTORIC ST. MARY'S CITY.

(2) TO EQUIP THE HISTORIC ST. MARY'S CITY COMMISSION WITH THE NECESSARY AND VITAL MANAGERIAL DISCRETION TO PURSUE ITS PURPOSE EFFECTIVELY, WITH THE UNDERSTANDING THAT THE COMMISSION WILL CONTRACT, AS IT DEEMS USEFUL AND APPROPRIATE BOTH FISCALLY AND MANAGERIALLY, WITH ST. MARY'S COLLEGE OF MARYLAND, OR SUCH OTHER ENTITIES AS MAY BE PRACTICAL AND APPROPRIATE, FOR SERVICES SUCH AS PROCUREMENT, PERSONNEL, AND ACCOUNTING, AND OTHERWISE COLLABORATE FORMALLY AND INFORMALLY WITH ST. MARY'S COLLEGE, ON THE USE AND EXCHANGE OF EXPERTISE AND RESOURCES, BOTH MANAGERIAL AND EDUCATIONAL, AS BOTH ENTITIES MAY DETERMINE IS

PRUDENT AND EFFECTIVE, IN ADVANCING THE BASIC MISSION OF EACH INSTITUTION.

(3) TO GRANT THE COMMISSION CORPORATE AUTHORITY OVER ITS PLANS, PROJECTS, AND OPERATIONS, SUBJECT TO ANNUAL REPORTING TO THE GENERAL ASSEMBLY AND SUCH OTHER STATE AND FEDERAL LAWS AS ARE NOW IN EXISTENCE WITH RESPECT TO THE PROTECTION OF HISTORIC AND ARCHAEOLOGICAL SITES OF SIGNIFICANCE TO THE STATE, INCLUDING ITS STATUS AS A STATE HISTORIC PROPERTY AND NATIONAL HISTORIC LANDMARK.

(4) TO ASSURE THAT HISTORIC ST. MARY'S CITY IS SUPPORTED BY OTHER EXECUTIVE DEPARTMENTS, INCLUDING, THE MARYLAND HISTORICAL TRUST IN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, THE MUSEUM SERVICES PROGRAM LOCATED AT JEFFERSON PATTERSON PARK MUSEUM, THE FINANCIAL ASSISTANCE PROGRAMS AND OFFICE OF TOURISM IN THE DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT, AND THE DEPARTMENT OF EDUCATION, AND SUCH AGENCIES ARE HEREBY DIRECTED TO PROVIDE, WITHIN APPROPRIATED RESOURCES, SUCH FUNDS, ADVICE, AND SERVICES AS WOULD ASSIST IN THE FULL FLOWERING OF HISTORIC ST. MARY'S CITY.

(5) TO PROVIDE THE HISTORIC ST. MARY'S CITY COMMISSION WITH THE ORGANIZATIONAL STRUCTURE AND BASIC FUNDING MECHANISMS NECESSARY TO MORE EFFECTIVE FUNCTIONING, AND RECOGNIZE THE OUTDOOR HISTORY MUSEUM AND ARCHAEOLOGICAL PARK LOCATED ON THE SITE OF MARYLAND'S FIRST CAPITAL, AS AN EDUCATIONAL FACILITY FOR STUDENTS AND VISITORS OF ALL AGES.

(6) TO ENDORSE THE COMMISSION'S FOCUS ON DEVELOPING THE EDUCATIONAL POTENTIAL OF HISTORIC ST. MARY'S CITY, INCLUDING A CLOSER AFFILIATION WITH ST. MARY'S COLLEGE OF MARYLAND, AS THE MOST EFFECTIVE WAY TO ASSURE THAT THIS UNIQUE SITE WITH ITS ARCHAEOLOGICAL RICHES AND IMPORTANCE TO THE HISTORY OF MARYLAND AND THE NATION IS RECOGNIZED AND SUPPORTED BOTH PRIVATELY AND PUBLICLY AS MARYLAND'S MOST IMPORTANT HISTORIC SITE, WITH A VIEW TO ATTAINING NATIONAL RECOGNITION FOR ST. MARY'S CITY AS A SITE OF EMINENT NATIONAL HISTORICAL SIGNIFICANCE.

24-503

(A) THE MISSION OF THE HISTORIC ST. MARY'S CITY COMMISSION IS TO PRESERVE AND PROTECT THE ARCHAEOLOGICAL AND HISTORICAL RECORD OF

MARYLAND'S FIRST COLONIAL CAPITAL AND TO APPROPRIATELY DEVELOP AND USE THIS HISTORIC AND SCENIC SITE FOR THE EDUCATION, ENJOYMENT, AND GENERAL BENEFIT OF THE PUBLIC.

(B) THE PARTICULAR PURPOSES OF THE ST. MARY'S CITY COMMISSION ARE TO:

(1) DISCOVER, CONSERVE, IMPROVE, AND PERPETUATE THE ARCHAEOLOGICAL, HISTORIC, NATURAL SCENIC AND CULTURAL QUALITIES OF HISTORIC ST. MARY'S CITY;

(2) IDENTIFY, DOCUMENT, STUDY, CURATE, INTERPRET AND APPROPRIATELY PRESERVE THE ARCHAEOLOGICAL RECORD OF HISTORIC ST. MARY'S CITY WITH EMPHASIS ON THE 17TH CENTURY;

(3) ENHANCE, WHERE FEASIBLE, THE SCENIC QUALITY, OPEN SPACES AND BUILDINGS WHICH REFLECT AND DISPLAY THE EARLY COLONIAL HISTORIC CHARACTERISTICS OF THE SITE;

(4) EMPLOY THE SITE OF MARYLAND'S FIRST COLONIAL CAPITAL FOR EDUCATION AT EVERY LEVEL, INCLUDING ITS ANTHROPOLOGY, ARCHAEOLOGY, HISTORY AND NATURAL SCIENCE; AND

(5) ENCOURAGE AND MOTIVATE THE CITIZENS OF MARYLAND AND THE NATION, AS WELL AS BUSINESSES, CHARITABLE, CULTURAL AND EDUCATIONAL INSTITUTIONS TO MAKE A CONTINUING COMMITMENT TO ARCHAEOLOGICAL AND HISTORIC INVESTIGATION AND RESEARCH AT HISTORIC ST. MARY'S CITY AND THE DEVELOPMENT OF THE SITE AS AN EDUCATIONAL CENTER FOR STUDENTS OF ALL AGES.

24-504 [Commission Established]

(A) (1) THERE IS A BODY CORPORATE AND POLITIC KNOWN AS THE "HISTORIC ST. MARY'S CITY COMMISSION."

(2) THE COMMISSION IS AN INSTRUMENTALITY OF THE STATE AND A PUBLIC CORPORATION BY THAT NAME, STYLE, AND TITLE, OR SUCH OTHER NAME, STYLE OR TITLE AS THE COMMISSION MAY ADOPT, PROVIDED THE RESOLUTION ADOPTING ANY SUCH CHANGE IN NAME, TITLE, OR STYLE IS FILED PROMPTLY WITH THE SECRETARY OF STATE.

(3) THE EXERCISE BY THE COMMISSION OF THE POWERS CONFERRED BY THIS SUBTITLE IS THE PERFORMANCE OF AN ESSENTIAL PUBLIC FUNCTION.

(4) THE COMMISSION SHALL HAVE PERPETUAL EXISTENCE, SUBJECT TO MODIFICATION OR TERMINATION BY THE GENERAL ASSEMBLY IF NECESSARY TO EFFECTUATE ITS PURPOSES OR WHEN AND IF ITS SUBSTANTIAL PURPOSE CEASES.

(B) THE COMMISSION MAY: [Corporate Powers]

(1) MAKE CONTRACTS OR OTHER LEGAL AGREEMENTS OR ARRANGEMENTS NECESSARY OR INCIDENTAL TO THE EXERCISE OF ITS POWERS AND PERFORMANCE OF ITS DUTIES;

(2) SUE AND BE SUED;

(3) IMPEAD AND BE IMPEADED;

(4) COMPLAIN AND DEFEND IN ALL COURTS OF LAW AND EQUITY;

(5) ADOPT AND ALTER AN OFFICIAL SEAL;

(6) ADOPT BYLAWS, RULES AND GUIDELINES TO REGULATE ITS AFFAIRS AND THE CONDUCT OF ITS BUSINESS; AND

(7) EXERCISE ANY OTHER CORPORATE POWER GRANTED MARYLAND CORPORATIONS UNDER THE MARYLAND GENERAL CORPORATE LAW GENERALLY, TO THE EXTENT SUCH POWER IS OR ACT IS NECESSARY OR CONVENIENT TO CARRY OUT THE PURPOSES OF THIS TITLE.

24-505 [The Commission Composition]

(A) THE HISTORIC ST. MARY'S CITY COMMISSION CONSISTS OF 18 MEMBERS.

(B) OF THE COMMISSION MEMBERS:

(1) 14 SHALL BE APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF THE COMMISSION WITH THE ADVICE AND CONSENT OF THE SENATE AS FOLLOWS:

(I) 3 SHALL BE DISTINGUISHED SCHOLARS, 1 OF WHOM SHALL BE AN ARCHAEOLOGIST, 1 OF WHOM SHALL BE A COLONIAL HISTORIAN AND 1 OF WHOM SHALL BE AN EDUCATOR;

(II) 1 SHALL BE A REPRESENTATIVE FROM A PROMINENT HISTORICAL MUSEUM;

(III) 3 SHALL BE MEMBERS OF THE MARYLAND BUSINESS COMMUNITY, 1 OF WHOM IS IN BUSINESS IN THE ST. MARY'S COUNTY COMMUNITY;

(IV) 6 SHALL BE MEMBERS OF THE GENERAL PUBLIC, AT LEAST 2 OF WHOM ARE RESIDENTS OF THE ST. MARY'S COUNTY COMMUNITY; AND

(2) 4 SHALL BE EX OFFICIO MEMBERS AS FOLLOWS:

(I) THE PRESIDENT OF THE SENATE OR THE PRESIDENT'S DESIGNEE;

(II) THE SPEAKER OF THE HOUSE OF DELEGATES OR THE SPEAKER'S DESIGNEE;

(III) THE CHAIRMAN OF THE ST. MARY'S COLLEGE OF MARYLAND BOARD OF TRUSTEES OR THE CHAIRMAN'S DESIGNEE.

(IV) THE PRESIDENT OF THE HISTORIC ST. MARY'S FOUNDATION.

(C) THE GOVERNOR SHALL CONSIDER STATEWIDE, REGIONAL AND MINORITY REPRESENTATION IN MAKING APPOINTMENTS TO THE COMMISSION.

(D) (1) THE TERM OF A MEMBER OF THE BOARD, EXCLUDING AN EX OFFICIO MEMBER, IS 4 YEARS AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES. THESE TERMS ARE STAGGERED AS REQUIRED BY THE TERMS OF MEMBERS AS OF JULY 1, 1997.

(2) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(3) A MEMBER MAY BE APPOINTED TO NO MORE THAN 2 FULL CONSECUTIVE TERMS. A MEMBER WHO HAS SERVED LESS THAN A FULL 4-YEAR TERM MAY BE REAPPOINTED TO 2 FULL TERMS.

(A) (1) FROM AMONG ITS MEMBERS THE COMMISSION SHALL ELECT:

(I) A CHAIRMAN;

(II) A VICE-CHAIRMAN;

(III) ANY OTHER OFFICER THE COMMISSION REQUIRES.

(2) THE MANNER OF ELECTION OF OFFICERS AND THEIR TERMS OF OFFICE SHALL BE AS THE COMMISSION DETERMINES.

(B) (1) THE COMMISSION SHALL ADOPT BYLAWS SETTING FORTH THE MANNER IN WHICH IT WILL CONDUCT ITS BUSINESS AND OTHERWISE CARRY OUT THE DUTIES ASSIGNED TO IT, INCLUDING THE ESTABLISHMENT OF STANDING COMMITTEES TO PROPOSE POLICIES, REVIEW OPERATIONS AND ADVISE THE COMMISSION IN THE AREAS OF:

(I) LAND USE, ARCHAEOLOGY, HISTORICAL RESEARCH, COLLECTIONS MANAGEMENT, AND CAPITAL PROJECTS;

(II) EDUCATIONAL PROGRAMMING, PUBLIC PROGRAMS, AND PUBLIC AFFAIRS WITH A VIEW TO EXPANDING THE KNOWLEDGE OF AND APPRECIATION FOR HISTORIC ST. MARY'S CITY TO THE REGION, STATE AND NATION;

(III) LONG-RANGE PLANNING, FUND-RAISING, FROM BOTH PUBLIC AND PRIVATE SOURCES, AS WELL AS OTHER REVENUE RAISING PROGRAMS WITH A VIEW TO SECURING LONG TERM FINANCIAL CAPITAL AND OPERATING SUPPORT FOR HISTORIC ST. MARY'S CITY; AND

(IV) FINANCIAL AND ADMINISTRATIVE AFFAIRS, INCLUDING PROPERTY MANAGEMENT, PERSONNEL, PROCUREMENT, LEGAL, ACCOUNTING, AUDIT AND INVESTMENT POLICIES.

(2) THE CHAIRMAN OF THE COMMISSION SHALL APPOINT EACH COMMISSIONER TO ONE OF THE STANDING COMMITTEES AND SUCH OTHER COMMITTEES AS THE COMMISSION FROM TIME TO TIME DETERMINES TO APPOINT FOR SPECIAL PURPOSES. THE CHAIRMAN SHALL DESIGNATE A CHAIR OF EACH COMMITTEE.

(C) (1) THERE SHALL BE AN EXECUTIVE COMMITTEE OF THE BOARD WHICH SHALL HAVE AS ITS MEMBERS: THE CHAIRMAN, THE VICE-CHAIRMAN AND THE CHAIR OF EACH STANDING COMMITTEE.

(2) THE EXECUTIVE COMMITTEE SHALL BE DELEGATED SUCH POWERS AS THE COMMISSION SHALL DETERMINE BY RESOLUTION OR BY-LAW AND SHALL REPORT TO THE FULL COMMISSION ALL ACTIONS TAKEN OR CONSIDERED BY THE COMMITTEE AT THE NEXT MEETING OF THE FULL COMMISSION.

(D) (1) THE FULL COMMISSION SHALL MEET AT LEAST 2 TIMES A YEAR AT HISTORIC ST. MARY'S CITY. THE EXECUTIVE COMMITTEE SHALL MEET AT LEAST 4 TIMES A YEAR, OR SUCH ADDITIONAL MEETINGS AS ARE NECESSARY OR CONVENIENT FOR THE PROPER DIRECTION OF HISTORIC ST. MARY'S CITY. STANDING COMMITTEES SHALL MEET OR CONFER AS NECESSARY TO REVIEW AND RECOMMEND ACTION TO THE EXECUTIVE COMMITTEE OR FULL COMMISSION, AS THE CASE MAY BE, AS ISSUES WITHIN THEIR PURVIEW ARISE.

(2) A MAJORITY OF THE VOTING MEMBERS THEN SERVING ON THE COMMISSION IS A QUORUM.

(E) A COMMISSIONER MAY NOT RECEIVE COMPENSATION; BUT EACH COMMISSIONER IS ENTITLED TO BE REIMBURSED FOR EXPENSES INCURRED WHILE ACTUALLY ENGAGED IN THE PERFORMANCE OF THE COMMISSIONER'S DUTIES IN ACCORDANCE WITH THE STANDARD STATE TRAVEL REGULATIONS.

PART II. POWERS AND DUTIES OF THE COMMISSION

24-507 [Powers; duties generally]

(A) SUBJECT TO THE PROVISIONS OF SECTION 24-514 OF THIS SUBTITLE, AND IN ADDITION TO ANY POWERS PROVIDED ELSEWHERE IN THIS SUBTITLE, THE COMMISSION HAS THE FOLLOWING POWERS:

(1) TO ACQUIRE AND HOLD REAL AND PERSONAL PROPERTY OF HISTORIC, AESTHETIC, OR CULTURAL SIGNIFICANCE, BY GIFT, PURCHASE, DEVISE OR BEQUEST INCLUDING THE POWER TO ACQUIRE OTHER PROPERTY IN THE VICINITY OF SIGNIFICANT PROPERTY IF THE COMMISSION CONSIDERS IT NECESSARY FOR THE PROPER USE AND ADMINISTRATION OF HISTORIC ST. MARY'S CITY AND ITS ENVIRONS, TO PRESERVE AND ADMINISTER THOSE PROPERTIES, AND TO CHARGE REASONABLE ADMISSION FEES FOR ENTRY TO THOSE PROPERTIES;

(2) TO PRESERVE, STUDY, CURATE, DEVELOP, AND INTERPRET HISTORIC, OR CULTURAL PROPERTIES, BUILDINGS, FIXTURES, FURNISHINGS, FACILITIES, COLLECTIONS, AND APPURTENANCES PERTAINING IN ANY WAY

TO HISTORIC ST. MARY'S CITY AND ITS ENVIRONS, INCLUDING THE REPLICA OF THE STATE HOUSE AND OTHER RECONSTRUCTIONS IN ST. MARY'S CITY;

(3) TO ACCEPT GIFTS, GRANTS, LEGACIES, BEQUESTS, AND ENDOWMENTS FOR ANY PURPOSE WHICH FALLS WITHIN THAT OF THE COMMISSION AND, UNLESS OTHERWISE SPECIFIED BY THE PERSON MAKING THE GIFT, GRANT, LEGACY, BEQUEST, OR ENDOWMENT, THE COMMISSION MAY EXPEND BOTH PRINCIPAL AND INCOME OF THE GIFT, GRANT, BEQUEST, LEGACY, OR ENDOWMENT TO FURTHER THE PURPOSES OF THE COMMISSION;

(4) TO ACCEPT GOVERNMENTAL GRANTS FROM FEDERAL, STATE AND LOCAL GOVERNMENTS AND INSTRUMENTALITIES;

(5) TO APPLY ALL MONEYS, ASSETS, PROPERTY, OR OTHER THINGS OF VALUE IT MAY RECEIVE INCIDENT TO ITS OPERATION TO THE GENERAL PURPOSES OF THE COMMISSION;

(6) TO COOPERATE WITH AND ASSIST, INsofar AS PRACTICABLE, OR ENTER INTO A CONTRACTUAL RELATIONSHIP WITH, ANY AGENCY OF THE STATE OR OF ANY OF ITS POLITICAL SUBDIVISIONS, AND ANY PRIVATE AGENCY OR PERSON, IN FURTHERANCE OF THE PURPOSES OF THE COMMISSION;

(7) TO FIX, AND REVISE FROM TIME TO TIME, AND COLLECT RATES, RENTS, FEES OR OTHER CHARGES FOR THE USE OF FACILITIES OR FOR SERVICES RENDERED IN CONNECTION WITH THE FACILITIES AT HISTORIC ST. MARY'S CITY;

(8) (I) TO BORROW FOR SUCH PURPOSES AND ON SUCH TERMS AS THE COMMISSION MAY DETERMINE IS NECESSARY, PRUDENT OR PRACTICAL AND, AT THE DISCRETION OF THE COMMISSION, TO SECURE ANY SUCH LOAN WITH PROPERTY HELD IN THE NAME OF THE COMMISSION OR FOR THE BENEFIT OF THE COMMISSION, OR FROM REVENUES DERIVED FROM SUCH PROPERTY.

(II) ANY SUCH LOAN UNDER THIS SECTION DOES NOT CONSTITUTE A DEBT OR OBLIGATION OF THE STATE OR ANY UNIT OF THE STATE OTHER THAN THE PUBLIC CORPORATION WHICH IS THE COMMISSION OR CREATE OR CONSTITUTE A DEBT OR OBLIGATION CONTRACTED BY THE GENERAL ASSEMBLY OR PLEDGE THE FAITH AND CREDIT OF THE STATE;

(9) TO ISSUE REVENUE BONDS SUBJECT TO THE PROVISIONS OF PART IV OF THIS SUBTITLE;

(10) TO REGULATE THE USE AND OPERATION OF THE FACILITIES AT HISTORIC ST. MARY'S CITY;

(11) TO ADOPT AND PROMULGATE SUCH RULES AS ARE NECESSARY AND PROPER AND NOT INCONSISTENT WITH THIS SUBTITLE FOR THE MANAGEMENT, MAINTENANCE AND OPERATION OF HISTORIC ST. MARY'S CITY AND TO EFFECTUATE THE PURPOSES OF THE COMMISSION;

(12) TO DELEGATE ANY OF THE POWERS HEREIN CONFERRED OF A NONPOLICY NATURE TO ANY ONE OR MORE OF THE COMMISSIONERS OR TO THE EXECUTIVE DIRECTOR OF THE COMMISSION.

(B) IN ADDITION TO ANY DUTIES PROVIDED ELSEWHERE IN THIS SUBTITLE, THE COMMISSION HAS THE FOLLOWING DUTIES:

(1) TO MAINTAIN AND CARRY OUT THE MISSION OF HISTORIC ST. MARY'S CITY;

(2) TO PROTECT AND PRESERVE THE HISTORICAL AND ARCHAEOLOGICAL RESOURCES FOUND WITHIN THE BOUNDARIES OF HISTORIC ST. MARY'S CITY;

(3) TO IDENTIFY, STUDY, CURATE, INTERPRET, AND DEVELOP THE SIGNIFICANT HISTORIC AND ARCHAEOLOGICAL RESOURCES OF HISTORIC ST. MARY'S CITY WITH EMPHASIS ON THE 17TH CENTURY COLONIAL PERIOD;

(4) TO ENHANCE THE ROLE OF HISTORIC ST. MARY'S CITY AS A STATE-WIDE EDUCATIONAL CENTER FOR HISTORICAL ARCHAEOLOGY AND MARYLAND COLONIAL HISTORY AND ULTIMATELY TO RAISE NATIONAL AWARENESS OF THE PLACE OF ST. MARY'S CITY, ITS HISTORY, PEOPLE AND IDEAS, IN OUR NATION'S DEVELOPMENT.

(5) TO DEVELOP CLOSE WORKING RELATIONSHIPS WITH PUBLIC AND PRIVATE ELEMENTARY AND SECONDARY SCHOOLS, LOCAL AND STATEWIDE BUSINESSES AND GOVERNMENTAL AGENCIES, AND CONDUCT ACTIVITIES TO EDUCATE THE GENERAL PUBLIC ABOUT THE HISTORY AND SIGNIFICANCE OF HISTORIC ST. MARY'S CITY TO THE STATE OF MARYLAND AND THE NATION;

(6) TO REVIEW AND COMMENT ON ALL PLANS FOR USE AND DEVELOPMENT OF THE ARCHAEOLOGICALLY OR HISTORICALLY SIGNIFICANT LAND AND REAL PROPERTY OF ST. MARY'S COLLEGE OF MARYLAND DURING THE INITIAL PLANNING STAGE, TO CONDUCT SUCH REVIEW AT A SPECIAL OR REGULAR MEETING OF THE FULL COMMISSION AFTER PUBLIC NOTICE OF THE

GENERAL NATURE OF THE PLANS TO BE REVIEWED BY THE COMMISSION, AND THEREAFTER TO FORWARD ALL SUCH COMMENTS COINCIDENT WITH ANY SUBMISSION MADE BY THE COLLEGE PURSUANT TO SECTION 3-602 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(7) TO SEEK PRIVATE AND OTHER PUBLIC GRANTS, GIFTS, BEQUESTS, ENDOWMENTS AND LEGACIES FOR THE DEVELOPMENT OF HISTORIC ST. MARY'S CITY.

(8) TO PREPARE AN OVERALL STRATEGIC PLAN AT LEAST ONCE EVERY 5 YEARS THAT ESTABLISHES BOTH SHORT-RANGE AND LONG-RANGE GOALS, OBJECTIVES, AND PRIORITIES FOR HISTORIC ST. MARY'S CITY IN SUPPORT OF ITS MISSION; AND

(9) TO REPORT ANNUALLY TO THE GOVERNOR, AND SUBJECT TO SECTION 2-1312 OF THE STATE GOVERNMENT ARTICLE, TO THE GENERAL ASSEMBLY AS TO THE COMMISSION'S ACTIVITIES DURING THE PRECEDING YEAR, INCLUDING SPECIFICALLY:

(I) THE NUMBER OF STUDENTS SERVED AS WELL AS THE TYPE AND NUMBERS OF ALL OTHER VISITORS,

(II) THE NUMBER OF VOLUNTEERS AND TOTAL HOURS CONTRIBUTED TO THE OPERATION OF THE MUSEUM,

(III) THE AMOUNT AND TYPES OF PRIVATE AND NON-STATE FUNDS DONATED, PLEDGED, OR OTHERWISE PROVIDED, AND

(IV) ANY RECOMMENDATIONS OR REQUESTS THE COMMISSION CONSIDERS APPROPRIATE TO FURTHER THE MISSION OF HISTORIC ST. MARY'S CITY.

24-508 [Relationship to St. Mary's College]

(A) THE HISTORIC ST. MARY'S CITY COMMISSION AND THE BOARD OF TRUSTEES OF ST. MARY'S COLLEGE OF MARYLAND ARE HEREBY AUTHORIZED TO UNDERTAKE JOINT PROGRAMS AND OTHERWISE TO WORK COLLABORATIVELY UNDER CONTRACT OR OTHER AGREEMENT ACCEPTABLE TO THE GOVERNING BOARDS OF EACH INSTITUTION, FOR THE PURPOSE OF FURTHERING THE MISSIONS OF BOTH INSTITUTIONS.

(B) THE COMMISSION AND THE COLLEGE MAY CONTRACT OR OTHERWISE AGREE TO WORK JOINTLY TO SPONSOR HIGH QUALITY EDUCATION PROGRAMS AND ACTIVITIES FOR BOTH THE ACADEMIC AND

GENERAL COMMUNITIES AND FOR ALL AGE GROUPS, INCLUDING ELEMENTARY, SECONDARY, COLLEGE, AND ADULT EDUCATION PROGRAMS AS WELL AS TEACHER TRAINING PROGRAMS IN CURRICULUM AREAS OF JOINT FOCUS, SUCH AS ARCHAEOLOGY, COLONIAL AMERICAN HISTORY, AND CHESAPEAKE CULTURE AND ECOLOGY.

(C) THE COMMISSION AND COLLEGE MAY DEVELOP JOINTLY BENEFICIAL PROMOTIONAL, MARKETING, FUNDRAISING, TOURISM, SPECIAL EVENTS AND OTHER OUTREACH EFFORTS.

(D) THE COLLEGE AND COMMISSION MAY BY CONTRACT OR MUTUAL AGREEMENT PERFORM ADMINISTRATIVE TASKS BY ONE INSTITUTION FOR THE OTHER INCLUDING, BUT NOT LIMITED TO, PERSONNEL, PROCUREMENT AND INSURANCE CLAIM PROCESSING, PURCHASING, ACCOUNTING, INFORMATION SYSTEM DESIGN, ACQUISITION, INSTALLATION AND SERVICE, SECURITY, MAINTENANCE, HISTORIC LANDSCAPE DESIGN, CATERING AND GENERAL FOOD SERVICES, AND ARCHAEOLOGICAL SURVEY AND MITIGATION SERVICES.

(E) PROVIDED THEY ARE SUPPORTIVE OF THE DISTINCTIVE MISSION OF EACH INSTITUTION, UNDERTAKE ANY OTHER JOINT ACTIVITY OR ACTION BY FORMAL OR INFORMATION AGREEMENT OR CONTRACT.

24-509 [Insurance]

(A) THE COMMISSION MAY OBTAIN AND CARRY COMPREHENSIVE LIABILITY INSURANCE TO PROTECT THE COMMISSION, ITS EMPLOYEES AND AGENTS. THE DETERMINATION WHETHER TO PURCHASE INSURANCE, AND ITS SCOPE AND LIMITATIONS, SHALL BE WITHIN THE COMMISSION'S DISCRETION, TAKING INTO ACCOUNT COMMERCIAL AVAILABILITY AND AFFORDABILITY AND THE EXISTENCE AND EXTENT OF INSURANCE SECURED BY THE STATE TREASURER.

(B) (1) TITLE 12, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE 'MARYLAND TORT CLAIMS ACT' APPLIES TO CLAIMS OR ACTIONS AGAINST THE COMMISSION, ITS BOARD MEMBERS, AGENTS AND EMPLOYEES.

(2) SUBJECT TO ALL EXCLUSIONS AND LIMITATIONS IN THAT SUBTITLE, THE IMMUNITY OF THE COMMISSION IS WAIVED TO THE EXTENT OF ANY INSURANCE COVERAGE PURCHASED UNDER THIS SUBSECTION.

(C) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO WAIVE OR ABROGATE SOVEREIGN IMMUNITY WITH RESPECT TO ANY CLAIM THAT IS NOT COVERED BY OR EXCEEDS THE LIMITS OF AN INSURANCE POLICY.

(D) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED TO WAIVE OR ABROGATE THE IMMUNITY OF THE COMMISSION UNDER THE ELEVENTH AMENDMENT TO THE UNITED STATES CONSTITUTION.

24-510 [personnel and consultants]

(A) (1) THE COMMISSION SHALL APPOINT AN EXECUTIVE DIRECTOR AND SUCH ADDITIONAL PROFESSIONAL, ADMINISTRATIVE AND CLERICAL PERSONNEL AS IT CONSIDERS NECESSARY TO CARRY OUT THE PURPOSES OF THIS SUBTITLE.

(2) THE COMMISSION SHALL EMPLOY OR CONTRACT WITH SUCH OTHER CONSULTANTS, ACCOUNTANTS, ENGINEERS, ARCHITECTS, ATTORNEYS, OR FINANCIAL ADVISORS AS IT DEEMS PRUDENT TO THE CARRYING OUT OF THE PURPOSES OF THIS SUBTITLE.

(3) EMPLOYEES OF THE COMMISSION QUALIFY FOR AND SHALL PARTICIPATE IN THE STATE EMPLOYEES' PENSION SYSTEM AS WELL AS ALL OTHER BENEFIT PLANS OFFERED TO STATE EMPLOYEES, INCLUDING HEALTH INSURANCE, LIFE AND ACCIDENT INSURANCE, AND FLEXIBLE SPENDING ACCOUNTS;

(4) THE COMMISSION MAY DELEGATE TO THE EXECUTIVE DIRECTOR ITS POWER TO APPOINT AND REMOVE STAFF.

(B) THE EXECUTIVE DIRECTOR SHALL:

(1) ACT AS THE CHIEF EXECUTIVE OFFICER FOR THE COMMISSION WITH FULL AUTHORITY TO DIRECT THE ACTIVITIES AND SUPERVISE THE EMPLOYEES OF HISTORIC ST. MARY'S CITY, IN ACCORDANCE WITH THE POLICIES, PLANS AND PROJECTS APPROVED BY THE COMMISSION;

(2) REPRESENT THE COMMISSION WITH THE GOVERNOR, THE GENERAL ASSEMBLY, THE HISTORIC ST. MARY'S FOUNDATION, AND ALL OTHER STATE, LOCAL AND FEDERAL GOVERNMENTAL AGENCIES AND GENERALLY ACT AS THE CHIEF SPOKESPERSON FOR ALL PURPOSES, INCLUDING SOLICITATION OF PUBLIC AND PRIVATE FUNDS FOR THE ADVANCEMENT OF HISTORIC ST. MARY'S CITY;

(3) ACT AS SECRETARY TO THE COMMISSION AND PREPARE OR HAVE PREPARED MINUTES OF EACH ACTION TAKEN BY THE COMMISSION AND THE EXECUTIVE COMMITTEE; AND

(4) PERFORM ANY OTHER DUTY THAT THE COMMISSION REQUIRES FOR CARRYING OUT THE PROVISIONS OF THIS SUBTITLE.

(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, EMPLOYEES OF THE COMMISSION, INCLUDING THE EXECUTIVE DIRECTOR, MAY ACCEPT, SUBJECT TO THE APPROVAL OF THE COMMISSION, FULL FACULTY STATUS AT ST. MARY'S COLLEGE OF MARYLAND, INCLUDING REMUNERATED TEACHING OR OTHER PROFESSIONAL RESPONSIBILITIES.

(D) THE COMMISSIONERS MAY REQUEST, AND UPON REQUEST SHALL RECEIVE FROM THE ATTORNEY GENERAL OF THE STATE OF MARYLAND, ALL LEGAL COUNSEL AND SERVICES NECESSARY TO CARRY OUT THE PURPOSES OF THE COMMISSION.

24-511 [Funding]

(A) (1) THERE IS A HISTORIC ST. MARY'S CITY FUND.

(2) THE STATE TREASURER SHALL HOLD AND THE STATE COMPTROLLER SHALL ACCOUNT FOR THE HISTORIC ST. MARY'S CITY FUND. THE FUNDS IN THE ACCOUNT SHALL BE INVESTED AND REINVESTED BY THE TREASURER IN ACCORDANCE WITH THE WRITTEN INVESTMENT POLICIES OF THE COMMISSION. ANY INVESTMENT EARNINGS SHALL BE PAID INTO THE FUND.

(3) ALL FEES, RENTS, GRANTS, OR OTHER FUNDS OF HISTORIC ST. MARY'S CITY, ONCE DEPOSITED IN THE HISTORIC ST. MARY'S FUND FROM WHATEVER SOURCE, SHALL NOT BE DEEMED TO BE MONIES OF THE STATE SUBJECT TO APPROPRIATION.

(4) ANY UNEXPENDED FUNDS HELD BY THE STATE TREASURER SHALL NOT REVERT TO THE GENERAL FUND OF THE STATE AT THE END OF ANY FISCAL YEAR.

(B) (1) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET SUBMISSION TO THE LEGISLATURE A GENERAL FUND GRANT FOR THE BASIC OPERATIONS OF THE HISTORIC ST. MARY'S CITY COMMISSION.

(2) THE GENERAL FUND OPERATING GRANT SHALL BE DEPOSITED IN THE HISTORIC ST. MARY'S CITY FUND FOR THE BENEFIT OF HISTORIC ST. MARY'S CITY.

(3) THE STATE SHALL PAY THE GENERAL FUND GRANT UNDER THIS SUBSECTION ON A QUARTERLY BASIS, ALTHOUGH NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO RESTRICT THE BUDGETARY POWER OF THE GENERAL ASSEMBLY.

(C) THE COMMISSION SHALL SUPPORT ALL OPERATING COSTS OF HISTORIC ST. MARY'S CITY, INCLUDING PERSONNEL AND RETIREMENT COSTS, FROM THE GENERAL FUND GRANT TO THE COMMISSION AND ANY OTHER REVENUE, FROM OTHER SOURCES, PUBLIC AND PRIVATE, COMING TO THE HISTORIC ST. MARY'S CITY COMMISSION.

(D) (1) THE COMMISSION IS AUTHORIZED TO MAKE USE OF ITS FACILITIES, EQUIPMENT, AND OTHER RESOURCES TO PROVIDE SERVICES AND CHARGE APPROPRIATE FEES THEREFOR, TO GENERATE INCOME FOR THE BENEFIT OF HISTORIC ST. MARY'S CITY.

(2) ALL INCOME EARNED FROM RENTS, FEES OR OTHER PROGRAM CHARGES SHALL BE DEPOSITED IN THE STATE TREASURY INTO THE "HISTORIC ST. MARY'S CITY FUND".

(3) THE COMMISSION MAY SPEND OR ENCUMBER, WITHIN THE FISCAL YEAR THEY ARE RECEIVED OR ANY TIME THEREAFTER, ANY INCOME OR REVENUES RECEIVED IN EXCESS OF THOSE ESTIMATED BY THE COMMISSION IN THEIR BUDGET FOR THAT FISCAL YEAR.

(E) (1) NOTWITHSTANDING ANY OTHER LAW OR REGULATION, THE COMMISSION MAY RECEIVE AND SPEND WITHOUT FURTHER APPROPRIATION ANY GRANT OR GIFT PROVIDED TO IT.

(2) ALL FUNDS RECEIVED, AND ANY INVESTMENT EARNINGS THEREON, FROM GRANTS, GIFTS, BEQUESTS, ENDOWMENTS, AND LEGACIES SHALL BE DEPOSITED BY THE COMMISSION IN A STATE OR FEDERALLY INSURED FINANCIAL INSTITUTION AND THEREAFTER SHALL BE INVESTED FOR THE BENEFIT OF HISTORIC ST. MARY'S CITY IN ACCORDANCE WITH THE WRITTEN INVESTMENT POLICIES OF THE COMMISSION AND THE TERMS AND CONDITIONS OF THE GRANT, GIFT, BEQUEST, ENDOWMENT, OR LEGACY.

(F) (1) THE COMMISSION ANNUALLY SHALL ADOPT A CAPITAL AND OPERATING BUDGET FOR THE MAINTENANCE, OPERATION AND DEVELOPMENT OF HISTORIC ST. MARY'S CITY.

(2) THE COMMISSION SHALL SUBMIT THE BUDGET IT HAS ADOPTED ANNUALLY TO THE DEPARTMENT OF BUDGET AND MANAGEMENT FOR INCLUSION FOR INFORMATION PURPOSES IN THE STATE BUDGET BOOK.

THE BUDGET SHALL IDENTIFY THE ANTICIPATED SOURCE OF FUNDS, WHETHER OPERATING INCOME, PRIVATE DONATIONS IN THE FORM OF GRANTS, GIFTS, OR BEQUESTS, OR OTHER PUBLIC FUNDS, IDENTIFIED AS FEDERAL, STATE OR LOCAL, AS WELL AS THE STATE'S GENERAL FUND OPERATING GRANT.

(3) ALL GRANT, GIFT, BEQUEST, OR FEE INCOME RECEIVED BY THE COMMISSION, INCLUDING THE GENERAL FUND GRANT RECEIVED BY HISTORIC ST. MARY'S CITY COMMISSION, SHALL BE EXPENDED IN ACCORDANCE WITH THE BUDGET APPROVED BY THE COMMISSION.

(G) (1) THE COMMISSION SHALL MAKE PROVISION, EITHER BY STAFF OR CONTRACT, FOR A SYSTEM OF FINANCIAL ACCOUNTING, CONTROLS, AUDITS AND REPORTS.

(2) THE BOOKS, RECORDS, ACCOUNTS AND TRANSACTIONS OF THE COMMISSION ARE SUBJECT TO AUDIT BY THE OFFICE OF LEGISLATIVE AUDITS OF THE DEPARTMENT OF FISCAL SERVICES.

24-512 [applicable laws]

(A) NOTWITHSTANDING THE PROVISIONS OF SUBTITLE 3 OF TITLE 10 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE COMMISSION MAY SELL, CONVEY, ASSIGN, LEASE, MORTGAGE, ENCUMBER, OR OTHERWISE TRANSFER, OR DISPOSE OF ANY REAL PROPERTY ACQUIRED OR HELD BY IT OR HELD BY THE STATE OR AN AGENCY OF THE STATE FOR THE BENEFIT OF HISTORIC ST. MARY'S CITY, AND ENTER INTO ANY CONTRACTS INCIDENT THERETO, FOR SUCH TERM AND SUCH CONDITIONS AS THE COMMISSION DEEMS APPROPRIATE, EXCEPT:

(1) REAL PROPERTY VALUED IN EXCESS OF \$5,000.00 SHALL NOT BE SOLD WITHOUT THE PRIOR APPROVAL OF THE BOARD OF PUBLIC WORKS; AND

(2) LEASES ENTERED INTO BY THE COMMISSION MUST BE MADE IN FURTHERANCE OF THE PURPOSES OF THE COMMISSION.

(B) (1) EXCEPT AS OTHERWISE MAY BE SET FORTH IN THIS SUBTITLE, THE COMMISSION IS EXEMPT FROM THE PROVISIONS OF THE STATE FINANCE AND PROCUREMENT ARTICLE, DIVISION I OF THE STATE PERSONNEL AND PENSION ARTICLE AND THE STATE ADMINISTRATIVE PROCEDURE ACT, AND MAY CARRY OUT ITS CORPORATE PURPOSES WITHOUT OBTAINING THE PRIOR

CONSENT OF ANY DEPARTMENT, BOARD OR AGENCY OF THE STATE EXCEPT AS OTHERWISE EXPRESSLY SET FORTH IN THIS SUBTITLE.

(2) THE COMMISSION IS EXEMPT FROM THE PAYMENT OF TAXES OR ASSESSMENTS OF ANY KIND.

(3) CAPITAL PROJECTS OF THE COMMISSION ARE SUBJECT TO TITLES 3 AND 4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE TO THE EXTENT OF ANY STATE APPROPRIATIONS.

(4) THE COMMISSION AND ITS OFFICERS AND EMPLOYEES ARE SUBJECT TO THE PUBLIC ETHICS LAW, THE PUBLIC INFORMATION ACT AND THE OPEN MEETINGS LAW.

(C) THE COMMISSION SHALL PROCURE GOODS AND SERVICES IN ACCORDANCE WITH THE PROCUREMENT POLICIES AND PROCEDURES ESTABLISHED BY ST. MARY'S COLLEGE OF MARYLAND PURSUANT TO SUBTITLE 14-205 OF THIS ARTICLE.

(D) FOR PURPOSES OF APPLYING FOR, RECEIVING, AND ENTERING INTO AGREEMENTS IN CONNECTION WITH LOANS, GRANTS, INSURANCE, OR OTHER FORMS OF FINANCIAL ASSISTANCE FROM THE STATE OR ITS AGENCIES OR INSTRUMENTALITIES, THE HISTORIC ST. MARY'S CITY COMMISSION IS A:

(1) PUBLIC BODY WITHIN THE MEANING OF THE MARYLAND INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY ACT; AND

(2) POLITICAL SUBDIVISION WITH THE MEANING OF THE MARYLAND INDUSTRIAL LAND ACT AND THE MARYLAND INDUSTRIAL AND COMMERCIAL REDEVELOPMENT FUND ACT.

PART III. PROPERTY ACQUISITION PROCEDURES

24-513 [all existing law]

(A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "DWELLING" MEANS THE DWELLING HOUSE OF ONE OR MORE HOMEOWNERS, AND THE CURTILAGE WHERE IT IS ERECTED, WHICH IS USED AS THE PRINCIPAL RESIDENCE OF THAT HOMEOWNER OR HOMEOWNERS.

(3) "HOMEOWNER" MEANS A PERSON WHO, ON JULY 1, 1976, ACTUALLY RESIDES IN A DWELLING IN WHICH THAT PERSON HAS A LEGAL INTEREST, INCLUDING ANY LIFE ESTATE, WHETHER AS SOLE OWNER, JOINT TENANT, TENANT IN COMMON OR TENANT BY THE ENTIRETY.

(4) "PRINCIPAL RESIDENCE" MEANS A DWELLING ACTUALLY OCCUPIED OR EXPECTED TO BE ACTUALLY OCCUPIED BY THE HOMEOWNER OR THE HOMEOWNERS FOR MORE THAN SIX CONSECUTIVE MONTHS OF THE PRESENT CALENDAR YEAR. NONOCCUPANCY OF THE DWELLING BECAUSE OF ILLNESS OR THE NEED FOR SPECIAL CARE, OF THE HOMEOWNER, IS OCCUPANCY FOR THE PURPOSES OF THIS SECTION.

(B) (1) WHEN THE COMMISSION OR OTHER STATE AGENCY COMMENCES THE ACQUISITION BY PURCHASE, GIFT, OR CONDEMNATION OF THE DWELLING OF A HOMEOWNER WITHIN THE PROPOSED BOUNDARIES ESTABLISHED BY THE COMMISSION, THE COMMISSION OR OTHER STATE AGENCY SHALL OFFER IN WRITING THE HOMEOWNER OR HOMEOWNERS A LIFE ESTATE IN THAT PROPERTY. ACCEPTANCE OF THE LIFE ESTATE SHALL BE TAKEN INTO CONSIDERATION WHEN DETERMINING THE VALUE OF THE PROPERTY. UPON ACCEPTANCE, THE RECIPIENT OF THE LIFE ESTATE WILL PAY REAL ESTATE PROPERTY TAXES, INSURANCE, AND ORDINARY MAINTENANCE COSTS. REQUESTS FOR MATERIAL ALTERATIONS OR ADDITIONS TO THE PROPERTY MUST BE SUBMITTED IN WRITING TO THE HISTORIC ST. MARY'S CITY COMMISSION AND SAID REQUEST MUST BE APPROVED OR DISAPPROVED BY THE COMMISSION WITHIN 45 DAYS OF THE RECEIPT OF SAID REQUEST.

(2) IN THE CASE OF A PURCHASE, THE COMMISSION OR OTHER STATE AGENCY SHALL MAKE THE OFFER:

(I) AT THE TIME OF EACH OFFER FOR PURCHASE; AND

(II) IN A DOCUMENT SEPARATE AND APART FROM ALL OTHER DOCUMENTS AT THE TIME OF RATIFICATION OF THE SALES CONTRACT.

(3) IN THE CASE OF A GIFT OR CONDEMNATION, THE COMMISSION OR OTHER STATE AGENCY SHALL MAKE THE OFFER AT THE TIME OF TRANSFER OF ANY RIGHT, TITLE OR INTEREST, PRESENT OR FUTURE, IN THE PROPERTY.

(C) THE COMMISSION OR OTHER STATE AGENCY MAY OFFER AT ANY TIME A LIFE ESTATE TO ANY OTHER HOMEOWNER OR PROPERTY OWNER WITHIN THE PROPOSED BOUNDARIES ESTABLISHED BY THE COMMISSION..

(D) THE HOMEOWNER OR PROPERTY OWNER MAY ACCEPT THE OFFER BEFORE THE 30TH CALENDAR DAY FOLLOWING THE TIME SET FORTH IN SUBSECTIONS (B) AND (C) OF THIS SECTION.

(E) UNTIL SUCH TIME AS THE COMMISSION CERTIFIES LEGITIMATE NEED FOR THE RESIDUE, THE HOLDER OF THE LIFE ESTATE MAY CONTINUE TO USE IT AS IT EXISTED PRIOR TO THE TRANSFER OF TITLE AND THE CREATION OF THE LIFE ESTATE, ON A LEASE ARRANGEMENT.

24-514 [property acquisitions]

NOTWITHSTANDING THE PROVISIONS OF PART III OF TITLE 4, SUBTITLE 4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, AND SUBJECT TO THE AVAILABILITY OF FUNDS AND IN ACCORDANCE WITH OTHER PROVISIONS OF THIS SUBTITLE REGARDING THE HISTORIC ST. MARY'S CITY COMMISSION, THE COMMISSION MAY ENTER INTO AGREEMENTS WITH PRESERVATION LAND TRUSTS, FOUNDATIONS, AND OTHER ENTITIES FOR THE PURPOSE OF ACQUIRING TITLE TO OR AN INTEREST IN PROPERTY IN HISTORIC ST. MARY'S CITY THAT IS OWNED BY SUCH AN ENTITY OR ON WHICH THE ENTITY HOLDS AN OPTION OR A CONTRACT TO PURCHASE.

24-515 [property transfers]

THE COMMISSION MAY RECEIVE AND THE STATE MAY PAY OVER AND TRANSFER TO THE COMMISSION, FROM TIME TO TIME, PROPERTY HELD IN THE NAME OF THE STATE, OR ANY OTHER STATE AGENCY TO CARRY OUT THE PURPOSES OF THE COMMISSION.

PART IV. REVENUE BONDS

24-516

(A) SUBJECT TO THIS PART THE COMMISSION MAY AT ANY TIME AND FROM TIME TO TIME ISSUE BONDS, BOND ANTICIPATION NOTES, OR OTHER OBLIGATIONS, (HEREIN REFERRED TO AS "BONDS"), AND MAY USE THE PROCEEDS OR THE EARNINGS FROM THE INVESTMENT THEREON FOR ANY AUTHORIZED PURPOSE, INCLUDING THE ESTABLISHMENT OF RESERVES AND THE PAYMENT OF INTEREST.

(B) EVERY ISSUANCE OF BONDS SHALL BE MADE PURSUANT TO A DETERMINATION THAT THE ISSUANCE IS CONSISTENT WITH ONE OR MORE PURPOSES OF THE COMMISSION. THE DETERMINATION SHALL BE MADE BY THE CHAIRMAN OF THE COMMISSION. THE DETERMINATION IS EFFECTIVE UPON

THAT APPROVAL, WITHOUT ANY OTHER PROCEEDING, ACTION, OR APPROVAL, AND IN CONCLUSION OF THE MATTERS DETERMINED THEREIN.

(C) THE COMMISSION SHALL NOTIFY THE TREASURER AND THE DEPARTMENT OF BUDGET AND MANAGEMENT OF ITS INTENTION TO ISSUE BONDS UP TO A STATED AMOUNT. NO OTHER APPROVALS, CONSENTS, NOTIFICATIONS, PROCEEDINGS, OR THE OCCURRENCE OF ANY OTHER CONDITIONS, OTHER THAN THOSE EXPRESSLY REQUIRED BY THIS TITLE ARE REQUIRED PRIOR TO THE ISSUANCE OF THE BONDS.

(D) THE COMMISSION MAY SECURE THE BONDS BY A TRUST AGREEMENT BETWEEN THE COMMISSION AND A CORPORATE TRUSTEE OR TRUSTEES, WHICH MAY BE ANY TRUST COMPANY OR BANK HAVING THE POWERS OF A TRUST COMPANY WITHIN OR WITHOUT THE STATE.

(E) PROCEEDS OF BONDS AND THE INVESTMENT INCOME FROM SUCH BONDS SHALL BE DEPOSITED BY THE COMMISSION IN ANY STATE OR NATIONAL BANK OR FEDERALLY OR STATE INSURED SAVINGS AND LOAN ASSOCIATIONS HAVING A TOTAL PAID-IN CAPITAL OF AT LEAST \$1,000,000. THE TRUST DEPARTMENT OF ANY STATE OR NATIONAL BANK OR SAVINGS AND LOAN ASSOCIATION, OR TRUST COMPANY, MAY BE DESIGNATED AS A DEPOSITORY TO RECEIVE ANY SECURITIES ACQUIRED OR OWNED BY THE CORPORATION.

24-517

(A) THE BONDS OF ANY ISSUE SHALL BE PAYABLE SOLELY FROM THE PROPERTY OR RECEIPTS OF THE COMMISSION, INCLUDING, WITHOUT LIMITATION:

(1) FEES, CHARGES, RENTS OR OTHER REVENUES PAYABLE TO THE COMMISSION;

(2) PAYMENTS BY FINANCIAL INSTITUTIONS, INSURANCE COMPANIES, OR OTHERS PURSUANT TO LETTERS OR LINES OF CREDIT, POLICIES OF INSURANCE, OR PURCHASE AGREEMENTS;

(3) INVESTMENT EARNINGS FROM FUNDS OR ACCOUNTS MAINTAINED PURSUANT TO A BOND RESOLUTION OR TRUST AGREEMENT;

(4) PROCEEDS OR REFUNDING BONDS; AND

(5) ANY OTHER SOURCE AUTHORIZED BY LAW.

(B) (1) BONDS ISSUED UNDER THE PROVISIONS OF THIS TITLE ARE NOT A DEBT OF, AND DO NOT PLEDGE THE FAITH, CREDIT, OR TAXING POWER OF THE STATE.

(2) THE BONDS SHALL CONTAIN ON THEIR FACE A STATEMENT THAT THE BONDS ARE NOT A DEBT OF, AND DO NOT PLEDGE THE FAITH, CREDIT, OR TAXING POWER OF THE STATE, THE COMMISSION OR ANY POLITICAL SUBDIVISION, BUT ARE PAYABLE SOLELY FROM THE REVENUES AND PROPERTY PROVIDED FOR THEREIN.

(3) THE COMMISSION MAY RECEIVE AND THE STATE MAY LEASE TO OR LEASE BACK TO THE COMMISSION ANY PROPERTY HELD IN THE NAME OF THE STATE OR ANY OTHER AGENCY OF THE STATE IN ORDER TO FACILITATE THE ISSUANCE OF REVENUE BONDS BY THE COMMISSION UNDER THIS SUBTITLE.

24-518

THE BONDS THAT THE COMMISSION ISSUES SHALL:

(1) BE ISSUED AT, ABOVE, OR BELOW PAR VALUE, FOR CASH OR OTHER VALUABLE CONSIDERATION, AND MATURE AT A TIME OR TIMES, WHETHER AS SERIAL BONDS OR AS TERM BONDS OR BOTH, NOT EXCEEDING THE MATURITY DATE ESTABLISHED BY THE COMMISSION.

(2) BEAR INTEREST AT THE FIXED OR VARIABLE RATE OR RATES DETERMINED BY THE METHOD PROVIDED IN THE RESOLUTION OR TRUST AGREEMENT;

(3) BE PAYABLE AT A TIME OR TIMES, IN THE DENOMINATIONS AND FORM, EITHER COUPON OR REGISTERED OR BOTH, AND CARRY THE REGISTRATION AND PRIVILEGES AS TO CONVERSION AND FOR THE REPLACEMENT OF MUTILATED, LOST, OR DESTROYED BONDS AS THE RESOLUTION OR TRUST AGREEMENT MAY PROVIDE;

(4) NOTWITHSTANDING ANY OTHER LAW, BE DEEMED A "SECURITY" WITHIN THE MEANING OF §8-102 OF THE COMMERCIAL LAW ARTICLE OF THE CODE, WHETHER OR NOT IT IS EITHER ONE OF A CLASS OR A SERIES OR BY ITS TERMS IS DIVISIBLE INTO A CLASS OR SERIES OF

INSTRUMENTS AND NEGOTIABLE FOR ALL PURPOSES ALTHOUGH PAYABLE FROM A LIMITED SOURCE;

(5) BE PAYABLE IN LAWFUL MONEY OF THE UNITED STATES AT A DESIGNATED PLACE;

(6) BE SUBJECT TO THE TERMS OF PURCHASE, PAYMENT, REDEMPTION, REFUNDING, OR REFINANCING THAT THE RESOLUTION OR TRUST AGREEMENT PROVIDES;

(7) BE EXECUTED BY THE MANUAL OR FACSIMILE SIGNATURES OF THE OFFICERS OF THE COMMISSION DESIGNATED BY THE COMMISSION, WHICH SIGNATURES SHALL BE VALID AT DELIVERY EVEN FOR AN OFFICER WHO HAS CEASED TO HOLD OFFICE; AND

(8) BE SOLD IN THE MANNER AND ON THE TERMS DETERMINED BY THE COMMISSION, INCLUDING PRIVATE OR NEGOTIATED SALE AND BE EXEMPT FROM §§8-206, 8-208, 8-209, AND 8-213 THROUGH 8-221 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

24-519

(A) ANY RESOLUTION OR TRUST AGREEMENT THE COMMISSION ADOPTS OR ENTERS INTO UNDER §13-1018(B) OF THIS SUBTITLE MAY CONTAIN PROVISIONS THAT:

(1) PLEDGE, ASSIGN, OR DIRECT THE USE, INVESTMENT, OR DISPOSITION OF ALL OR A PORTION OF THE RECEIPTS OF THE COMMISSION OR ALL OR A PORTION OF THE PROCEEDS OR BENEFITS OF ANY CONTRACT AND CONVEY OR OTHERWISE SECURE ANY PROPERTY OR PROPERTY RIGHTS.

(2) SET ASIDE LOAN FUNDING DEPOSITS, DEBT SERVICE RESERVES, CAPITALIZED INTEREST ACCOUNTS, COST OF ISSUANCE ACCOUNTS, SINKING FUNDS, AND OTHER FUNDS AND ACCOUNTS, AND REGULATE, INVEST, AND DISPOSE OF THESE DEPOSITS, RESERVES, ACCOUNTS, AND FUNDS;

(3) LIMIT THE PURPOSE TO WHICH OR THE INVESTMENTS IN WHICH THE PROCEEDS OF SALE OF ANY ISSUE OF BONDS MAY BE APPLIED AND RESTRICT THE INVESTMENT OF REVENUES OR BOND PROCEEDS AS DEEMED NECESSARY, WHICH MAY INCLUDE LIMITING INVESTMENTS TO GOVERNMENT OBLIGATIONS FOR WHICH PRINCIPAL AND INTEREST ARE UNCONDITIONALLY GUARANTEED BY THE UNITED STATES;

(4) LIMIT THE ISSUANCE OF ADDITIONAL BONDS AND SPECIFY THE TERMS ON WHICH ADDITIONAL BONDS MAY BE ISSUED, SECURED, AND RANK ON PARITY WITH, OR BE SUBORDINATE OR SUPERIOR TO, OTHER BONDS;

(5) REFUND OR REFINANCE OUTSTANDING BONDS;

(6) ESTABLISH ANY PROCEDURE CONCERNING THE MANNER IN WHICH THE TERMS OF ANY CONTRACT WITH BONDHOLDERS MAY BE ALTERED OR AMENDED, THE AMOUNT OF BONDS TO WHICH THE HOLDERS MUST CONSENT, AND THE MANNER IN WHICH THE HOLDERS MUST CONSENT.

(7) DEFINE THE ACTS OR OMISSIONS THAT CONSTITUTE A DEFAULT IN THE DUTIES OF THE COMMISSION TO HOLDERS OF BONDS AND PROVIDE THE RIGHTS AND REMEDIES OF THE HOLDERS IN THE EVENT OF A DEFAULT, WHICH MAY INCLUDE PROVISIONS THAT RESTRICT INDIVIDUAL RIGHT OR ACTION BY BONDHOLDERS;

(8) PROVIDE FOR GUARANTEES, PLEDGES OF PROPERTY, PURCHASES OR SALES OF PROPERTY, LEASING, LEASING BACK OR SUBLEASING OF PROPERTY, THE ASSIGNMENT OF ANY PLEDGES, PURCHASE, SALE, LEASE, OR SUBLEASE AGREEMENTS, LETTERS OF CREDIT, OR OTHER SECURITY, OR INSURANCE FOR THE BENEFIT OF BONDHOLDERS; AND

(9) PROVIDE FOR ANY OTHER MATTER RELATING TO THE BONDS THAT THE COMMISSION DEEMS APPROPRIATE.

(B) ANY PROVISIONS UNDER SUBSECTION (A) OF THIS SECTION THAT THE COMMISSION INCLUDES IN A RESOLUTION OR TRUST AGREEMENT SHALL BE PART OF THE CONTRACT WITH THE HOLDERS OF THE BONDS.

24-520

(A) A PLEDGE BY THE COMMISSION OF REVENUES AS SECURITY FOR AN ISSUE OF BONDS SHALL BE VALID AND BINDING FROM THE TIME WHEN THE DOCUMENTS EVIDENCING THE PLEDGE ARE EXECUTED BY THE COMMISSION.

(B) (1) THE REVENUES THAT THE COMMISSION PLEDGES ARE IMMEDIATELY SUBJECT TO THE LIEN OF THE PLEDGE WITHOUT ANY PHYSICAL DELIVERY OR FURTHER ACT.

(2) THE LIEN OF ANY PLEDGE OF REVENUE IS VALID AND BINDING AGAINST ANY PERSON WHO HAS ANY CLAIM IN TORT, CONTRACT, OR

OTHERWISE AGAINST THE COMMISSION, WHETHER OR NOT THE PERSON HAS NOTICE.

(C) IN ORDER TO PERFECT THE LIEN ON THE REVENUE PLEDGED BY THE COMMISSION AGAINST THIRD PERSONS, A RESOLUTION, TRUST AGREEMENT OR FINANCING STATEMENT, CONTINUATION STATEMENT, OR OTHER INSTRUMENT THAT THE COMMISSION ADOPTS OR ENTERS INTO NEED NOT BE FILED OR RECORDED IN ANY PUBLIC RECORD OTHER THAN THE RECORDS OF THE COMMISSION.

24-521

(A) NO MEMBER OF THE COMMISSION NOR ANY PERSON EXECUTING THE BONDS SHALL BE LIABLE PERSONALLY ON THE BONDS OR SUBJECT TO ANY PERSONAL LIABILITY BY REASON OF THE ISSUANCE OF THE BONDS.

(B) EXCEPT AS OTHERWISE PROVIDED BY AN APPLICABLE RESOLUTION OR TRUST AGREEMENT, A HOLDER OF BONDS ISSUED UNDER THIS SUBTITLE, OR A TRUSTEE ACTING UNDER A TRUST AGREEMENT ENTERED INTO UNDER THIS SUBTITLE, MAY, BY ANY SUITABLE FORM OF LEGAL PROCEEDINGS, PROTECT AND ENFORCE ANY RIGHTS GRANTED UNDER THE LAWS OF THIS STATE OR BY ANY APPLICABLE RESOLUTION OR TRUST AGREEMENT.

24-522

(A) THE COMMISSION MAY ISSUE BONDS TO REFUND ANY OF ITS BONDS THEN OUTSTANDING, INCLUDING THE PAYMENT OF ANY REDEMPTION PREMIUM AND ANY INTEREST ACCRUED OR TO ACCRUE TO THE EARLIEST OR ANY SUBSEQUENT DATE OF REDEMPTION, PURCHASE, OR MATURITY OF THE BONDS.

(B) REFUNDING BONDS MAY BE ISSUED:

(1) (I) FOR THE PUBLIC PURPOSES OF REALIZING SAVINGS IN THE EFFECTIVE COSTS OF DEBT SERVICE, DIRECTLY OR THROUGH A DEBT RESTRUCTURING; OR

(II) FOR ALLEVIATING IMPENDING OR ACTUAL DEFAULT;
AND

(2) IN ONE OR MORE SERIES IN AN AMOUNT IN EXCESS OF THAT OF THE BONDS TO BE REFUNDED.

24-523

(A) THE COMMISSION MAY ENTER INTO AGREEMENTS WITH AGENTS, BANKS, INSURERS, OR OTHERS FOR THE PURPOSE OF ENHANCING THE MARKETABILITY OF, OR AS A SECURITY FOR, ITS BONDS.

(B) ANY FINANCIAL INSTITUTION, INVESTMENT COMPANY, INSURANCE COMPANY OR ASSOCIATION, AND ANY PERSONAL REPRESENTATIVE, GUARDIAN, TRUSTEE, OR OTHER FIDUCIARY, MAY LEGALLY INVEST ANY MONEYS BELONGING TO THEM OR WITHIN THEIR CONTROL IN ANY BONDS ISSUED BY THE COMMISSION.

24-524

(A) THE BONDS OF THE COMMISSION, THEIR TRANSFER, THE INTEREST PAYABLE ON THEM, AND ANY INCOME DERIVED FROM THEM, INCLUDING ANY PROFIT REALIZED IN THEIR SALE OR EXCHANGE, ARE EXEMPT AT ALL TIMES FROM EVERY KIND OF TAXATION BY THIS STATE OR BY ANY OF ITS POLITICAL SUBDIVISIONS, MUNICIPAL CORPORATIONS, OR PUBLIC AGENCIES.

(B) THE BONDS OF THE COMMISSION, MAY, BUT ARE NOT REQUIRED TO BE, ISSUED IN CONFORMANCE WITH ANY APPLICABLE PROVISIONS OF THE INTERNAL REVENUE CODE OF THE UNITED STATES IN ORDER THAT THE INTEREST PAYABLE THEREON SHALL BE EXCLUDABLE FROM FEDERAL GROSS INCOME.

PART V. MISCELLANEOUS

24-525

(A) THIS SUBTITLE SHALL BE LIBERALLY CONSTRUED TO EFFECT ITS PURPOSES.

(B) THIS SUBTITLE MAY BE CITED AS "THE HISTORIC ST. MARY'S CITY COMMISSION ACT".

SECTION 2. AND BE IT FURTHER ENACTED, that every person who, as of June 30, 1997 is an employee at Historic St. Mary's City shall be, on and after July 1, 1997, an employee of the Historic St. Mary's City Commission and, except as may be agreed under Section 3 below, shall be subject to the rules and procedures of the personnel system established pursuant to Section 14-208 of the Education Article of the Annotated Code of Maryland, and shall suffer no change or loss of retirement status and shall carry over all accrued leave balances. From and after July 1, 1997 all employees of the Commission are entitled to participate in the state employees' pension system as well as all other benefit plans, including health insurance, flexible spending accounts, life and accident insurance and such other benefits as may now or hereafter be offered to state employees from time to time.

SECTION 3. AND BE IT FURTHER ENACTED, that the Commission may prior to July 1, 1997, review the personnel rules and procedures, and procurement rules and procedures of St. Mary's College and may enter into a contract to have the College administratively handle the processing of all personnel and procurement actions for the Commission. The Commission and the College may agree on any variations in personnel or procurement policies or procedures that are necessary or prudent for the efficient and effective operation of Historic St. Mary's City. Under the terms of any such contract the College shall have no liability express or implied for accrued leave balances, salaries or other payments due employees, or the actions of any Commissioner or any employee of the Commission.

SECTION 4. AND BE IT FURTHER ENACTED, that for Fiscal Year 1998, the general fund operating grant to Historic St. Mary's City Commission for the operation and maintenance of Historic St. Mary's City shall be [\$_____]. The annual basic operating fund grant for each fiscal year thereafter shall be at least equal to the grant of the prior fiscal year increased by an amount that takes into account inflation over the preceding year.

SECTION 5. AND BE IT FURTHER ENACTED, that the Commission may, in exercising its authority under Section 24-509 of this Act, request and the College may agree, to add the Commission, its members, agents, and employees to any insurance policy carried by the College pursuant to Subtitle 14-204(h) of the Education Article of the Annotated Code of Maryland, with any increased premium to be paid by the Commission.

SECTION 6. AND BE IT FURTHER ENACTED, that any fund balance, including funds, if any, in the special fund known as the Historic St. Mary's City Fund which are held by the Treasurer on June 30, 1997, shall be transferred to a separate non-budgeted account held and accounted for by the Treasurer for Historic St. Mary's City to be known as the "Historic St. Mary's City Fund".

SECTION 7. AND BE IT FURTHER ENACTED, that unless expressly provided to the contrary in this Act, any transaction, contract or agreement validly entered into by or on behalf of the Historic St. Mary's City Commission on or before June 30, 1997 and every right, duty, or interest flowing from it remains valid after the effective date of this act and may be completed, consummated, paid, terminated or enforced with its terms pursuant to law.

SECTION 8. AND BE IT FURTHER ENACTED, that if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 9. AND BE IT FURTHER ENACTED, that this Act shall take effect July 1, 1997.

**PUBLIC MEETING COMMENTS
NOVEMBER 9, 1996
HISTORIC ST. MARY'S CITY AUDITORIUM**

APPENDIX D

**TASK FORCE ON HISTORIC ST. MARY'S CITY
PUBLIC MEETING COMMENTS
HISTORIC ST. MARY'S CITY AUDITORIUM
NOVEMBER 9, 1996**

Presented below are summaries of the statements made by the public at the Task Force public meeting on November 9th. Seventeen of the approximately eighty people in attendance made public statements. Also included below are summaries of public comments made by the three members of the Task Force who offered statements at the conclusion of the public meeting.

JEANNE CHANDLER, PRESIDENT OF HISTORIC ST. MARY'S CITY FOUNDATION AND FRIENDS: Ms. Chandler expressed "gratitude and unequivocal support" for the plans presented by the Task Force. She referred to the proposed changes as a "win-win situation." The Foundation will be better postured for fund raising due to changes they have made recently, and the Task Force's proposal will make the foundation's job of fund raising easier. She said she looks forward to working with St. Mary's College in joint fund raising activities and indicated that the College has "extraordinary credibility."

MARY JANSSON, REPRESENTING THE ST. MARY'S CITY COALITION: Ms. Jansson said the coalition is "delighted this is being done," referring to the proposal presented by the Task Force. She then recounted past issues which had prompted the formation and activity of the coalition. She indicated that the Hicks Site and the St. John's Site could be developed into historical exhibits. She also referred to the change in the College administration in a positive way as contributing to the possibility for closer cooperation among the College, the City, and the Community.

POLLY BARBER, REPRESENTING THE ST. MARY'S CITY COALITION: Ms. Barber supported the proposal to establish the Commission as an independent department. She hoped the College Board of Trustees will demonstrate an "equal amount of enthusiastic support." She observed that the College and the City together own more than 1,000 acres. She indicated that she believes it possible to develop a campus and historic park on this land compatibly.,

DICK GASS, REPRESENTING THE ST. MARY'S COUNTY HISTORICAL SOCIETY: Mr. Gass said the Historical Society "commends the Task Force," observing that the "report is a sign of a productive exercise." He said the Historical Society "strongly urges the General Assembly to support the proposed legislation."

ERIC JANSSON, PRESIDENT OF THE POTOMAC RIVER ASSOCIATION: "We think that this legislation is very desirable, and we support it wholeheartedly. A public corporation operating with a block grant makes a lot of sense, and will very likely (be able) to produce much

better results." Mr. Jansson went on to propose that the task force consider changes to the legislation to provide for: a development program for volunteers, this change being incorporated into the mission statement portion of the legislation; the need for an inflation adjustment to the block grant; the need to encourage the Commission to develop endowments, also suggested to be included in the mission portion of the legislation; and the need to keep the Commission process open to public examination.

HENRY BONNER, REPRESENTING THE SOUTHERN MARYLAND MUSEUM

ASSOCIATION: Mr. Bonner made reference to the recently released Southern Maryland Heritage Area Plan which will be a vehicle to attract development funds for important heritage sites such as Historic St. Mary's City. In referring to the Task Force proposal, Mr. Bonner said, "What many have hoped for has finally happened." He said the Association wholeheartedly supports the Task Force plan. He observed, however, that he would differ with the Task Force in semantic areas or areas of emphasis with regard to the conclusions concerning the role of Historic St. Mary's City as an economic development tool. He asserted that Historic St. Mary's City is a "lynchpin component of Southern Maryland Heritage" "... to say that it is not an economic asset is absurd." He also cautioned against too strong a shift towards an "educational ivory tower." He referred to Historic St. Mary's City as "the heart of the Southern Maryland heritage landscape."

DR. JULIE KING, ARCHAEOLOGIST: Dr. King expressed concern that the legislative language represents that Historic St. Mary's City has failed as an outdoor history museum. She wondered whether a museum would be "in mind when educational resource" is referred to in the proposed legislation. She said "innovative teaching techniques are essential" to the mission of Historic St. Mary's City and that the outdoor history museum must remain a focus of the educational activity. She asked that the proposed legislation be amended to ensure that it provides for the continuation of the museum activity.

NANCY ROGERS, A DOCENT AT HISTORIC ST. MARY'S CITY: Ms Rogers expressed concern at the speed with which the Task Force process was pursued. She indicated that she had not yet read the Task Force draft report, apparently having had difficulty locating a copy. She said, based on the oral presentation preceding the public comment period, that "the plan sounds fine." She contrasted what she characterized as a weak Historic St. Mary's City organization with St. Mary's College which she characterized as strong and successful. She expressed her hope that the Commission would not be "gobbled up" by the College. She asserted that the proper relationship between the Commission and the College should be one of "partnership." She concluded by enumerating personnel staffing requirements she sees for the Commission and expressed concern that the "entity (Commission) will lose its identity."

LINDA PURDY, AN ADJACENT PROPERTY OWNER AND MEMBER OF THE COMMUNITY ADVISORY COMMITTEE:

Ms. Purdy questioned the wisdom of some of the state land purchases. She wondered what will become of those lands which are surrounded by residential areas. She made reference to the demise of an 18th or 19th century structure which the state did not preserve. As to the Task Force plan, she said, "I hope the plan comes to be. She

recommended that outlying areas of land currently owned by the state, either be protected or turned over to the private sector.

BECKY MACDONALD, AN HISTORIC ST. MARY'S CITY VOLUNTEER: Ms. MacDonald expressed her good feelings about how she is employed by the Commission.

BARBARA THOMPSON, PRESIDENT OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY: Ms. Thompson gave her personnel endorsement of the Southern Maryland Heritage Plan. She indicated that the Board of County Commissioners had been kept apprised of the work of the Task Force and had received the draft report. She said that the Task Force plan "seems like a good plan." She emphasized the importance of the Commission independence in furtherance of their goals for fund raising from the public and private sectors. She hopes the Board of County Commissioners will offer a letter of support for the Task Force recommendations. She feels that the Task Force proposal needs to meld with the Southern Maryland Heritage Plan.

BETH MCCOY: Ms. McCoy supported the Task Force plan. She sees the Commission in a positive way, trying to resolve their problems through the task force process. She indicated that "This is our opportunity to help the Historic St. Mary's City Commission succeed and do well."

WILL GATES, HISTORIC ST. MARY'S CITY STAFF MEMBER: Mr. Gates thanked the Task Force for "an extraordinary effort." He said, "The wisdom of Solomon is implicit in the remarks." Mr. Gates took issue with a statement made by one of the preceding speakers in which an assertion was made that the Commission does not make effective use of their volunteers. He used his experience as the sailing master of the St. Mary's Dove to underscore the important work the volunteers are engaged in.

MARIE GOLDSMITH: Ms. Goldsmith pointed out that, according to a chart presented earlier by Sara Patton, volunteers labor represents approximately eleven percent of the annual activity of the Commission. This was offered in opposition to an earlier negative assertion about how the Commission uses volunteers.

ELEANOR TYDINGS REYNOLDS: Ms. Reynolds asked Margaret McFarland for examples of similarly chartered state corporations. Ms. McFarland indicated that she examined many as she was preparing the draft legislative language. She indicated that the closest parallel (which still had significant differences from what is proposed) is the Historic District in Cumberland. The state chartered corporation which is perhaps the least similar to the proposal for Historic St. Mary's City.

CATHERINE BARNES, TASK FORCE MEMBER: Ms. Barnes reminded the audience that the legislative proposal is just the beginning. The "big test" will be when the bill is heard in the

General Assembly. The legislators will need to hear support from the community in order for the bill to be adopted, according to Ms. Barnes. She singled out Senators Dyson and Miller as strong supporters of the Task Force proposal in her opinion. She also paid tribute to Delegate Slade for his continuing support and also for his leadership in advancing the 1991 legislation for Historic St. Mary's City. Ms. Barnes recognized the accomplishments of Margaret McFarland in crafting the legislation and Dr. O'Brien for her commitment and "complete sincerity" in regard to her desire to see Historic St. Mary's City grow and flourish. Ms. Barnes also commended Mr. Ben Bradlee for his "sincere concern and commitment to Historic St. Mary's City."

SENATOR ROY DYSON: Senator Dyson spoke of the need to achieve and maintain parity between the two institutions: the City and the College. He stated that parity has been achieved in the Task Force plan. He stressed the importance of preserving the land, which also receives prominent treatment in the plan. He said he would do his best to champion the legislation. He made personal observations of the need for continued cooperation between the City and the College and used a recent facility maintenance situation as an example of ways in which one could assist the other. He characterized the draft as a "good report." He urged everyone to "work together to make the plan work." The Task Force plan provides the process to ensure that cooperation, according to Senator Dyson. He commended the Task Force for their "farsighted initiative."

PEGGY MILES, DOCENT: Ms. Miles expressed her gratitude to the Task Force.

HUGH FRY, ST. MARY'S MILITIA: Offered the services of the Militia to provide any needed physical support in Annapolis.

DR. JANE MARGARET O'BRIEN, PRESIDENT OF ST. MARY'S COLLEGE: Dr. O'Brien expressed her excitement with the prospect of further cooperation with Historic St. Mary's City. She said she shares the feeling of cherishing the important Town Lands. She said she feels obligated to ensure Historic St. Mary's City's future success.

CATHERINE BARNES, TASK FORCE MEMBER: Ms. Barnes emphasized the excellent leadership of the Task Force provided by Lt. Governor Townsend. She also commended Sara Patton for her leadership as Historic St. Mary's City Executive Director and for her staff support of the Task Force.